

bulletin





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Signing Ceremony of the North Atlantic Treaty, Departmental Auditorium, Washington, April 4, 1949¹

REMARKS BY DEAN ACHESON Secretary of State of the United States

On behalf of the Government and the people of the United States, I warmly welcome to our country and our capital the Foreign Ministers who have assembled here to sign the North Atlantic Treaty.² We are honored by their presence, both as individuals who have done much for peace and as representatives of nations and peoples who have contributed notably to the welfare and progress of mankind.

We are met together to consummate a solemn act. Those who participated in the drafting of this treaty must leave to others judgment of the significance and value of this act. They cannot appraise the achievement but they can and should declare the purposes of their minds and hearts.

It was, I think, their purpose—like the purpose of those who chart the stars—not to create what they record, but to set down realities for the guidance of men, whether well or ill-disposed. For those who seek peace it is a guide to refuge and strength, a very present help in trouble. For those who set their feet upon the path of aggression, it is a warning that if it must needs be that offenses come, then woe unto them by whom the offense cometh.

For the reality which is set down here is not created here. The reality is the unity of belief, of spirit, of interest of the community of nations represented here. It is the product of many centuries of common thought and of the blood of many simple and brave men and women.

The reality lies not in the common pursuit of a material goal or of a power to dominate others. It lies in the affirmation of moral and spiritual values which govern the kind of life they propose to lead and which they propose to defend, by all possible means, should that necessity be thrust upon them. Even this purpose is a fact which has been demonstrated twice in this present century.

PROGRAM

- 2:30 p. m. Music by United States Marine Band
- 2:45 p. m. Arrival of the Foreign Ministers (West Entrance)
- 3:00 p. m. Entrance of the Foreign Ministers
- 3:05 p. m. Welcome and remarks by the Secretary of State of the United States
- 3:10 p. m. Introduction of the Foreign Ministers by the Secretary of State of the United States

Remarks of the Foreign Ministers on the occasion of the signing of the treaty. (Each Foreign Minister is expected to speak for five minutes in the language of his choice. Those speeches not made in English will be translated immediately following the speaker.)

Entrance of the President of the United States

Remarks of the President

Formal signing of the North Atlantic Treaty

Closing remarks of the Secretary of State

Adjournment

It is well that these truths be known. The purpose of this treaty is to publish them and give them form.

From this act, taken here today, will flow increasing good for all peoples. From this joining of many wills in one purpose will come new inspiration for the future. New strength and courage will accrue not only to the peoples of the Atlantic community but to all peoples of the world community who seek for themselves, and for others equally, freedom and peace.

¹ Released to the press Apr. 4, 1949; President Truman's remarks were released to the press by the White House on the same date.

² BULLETIN of Mar. 20, 1949, p. 339; also printed as Department of State Publication 3464.

REMARKS BY PAUL-HENRI SPAAK

Prime Minister and Minister of Foreign Affairs of Belgium

In signing the North Atlantic pact, we are going to participate in the most important political event that has occurred since the creation of the United Nations.

The great defensive alliance about to be created is an essential milestone on the road leading to the consolidation of peace.

The peoples of the world have therefore the right to rejoice over it.

The North Atlantic pact conforms with the letter and the spirit of the San Francisco Charter since, inspired solely by a sense of defense, it is, through the magnitude of the forces which it brings together, of a nature to discourage any future aggressor and since it gives to article 51, which proclaims the right to legitimate individual and collective defense, a practical and effective form without which it would be but a mockery.

The new pact is purely defensive; it is directed against no one; it threatens no one; it should therefore disturb no one; save, of course, any person or persons who might foster the criminal idea of having recourse to war. To be convinced of this, one has only to read it; but, one must do so without a preconceived idea.

The peoples here represented detest war, and their Governments share their sentiments.

War is a hateful and absurd thing. It settles nothing, and its consequences constitute almost as heavy a burden for the conquerors as for the conquered. Democracies are essentially pacific. Where peoples have something to say, where thought is not in chains and opposition muzzled, the idea that an aggressive policy could be pursued is inconceivable. If the whole world accepted and practiced the democratic principles which are ours, there would be no more war. But until that is the case, we have the right and the duty to be prudent and prepared.

Twice within less than 25 years the democracies of Western Europe, the United States of America, and Canada have faced terrible dangers. Twice the civilization that they represent, their way of life and of thought have been jeopardized.

Twice it has required military miracles to save them. Twice an overblind trust has all but ruined them. It would be unpardonable to ignore the repeated lessons of history.

Those who today are angered or saddened because the principles of universal collective security contemplated in the United Nations Charter are to be supplemented by a system more restricted, but having the same goal and observing the same principles, will find some subjects for reflection in the signing of the pact. They will regret, perhaps, having seen the rostrum of the United Nations transformed into an instrument of propaganda in which vehemence and insult have frequently replaced the essential desire for cooperation; perhaps also they will regret that the abuse of the veto and refusal to collaborate have so often rendered ineffective the decisions of the Security Council or the recommendations of the Assembly.

The United Nations remain our great hope.

We continue to desire and to believe that one day all nations may find their security in this world organization and that all Governments, having at last recognized the precedence of international law over their own will, may make of the United Nations the mighty instrument that we have always wished for.

But until that day, no one can contest our right to gather together and organize in one corner of the world all the forces of those who, having finally and wholly renounced all idea of aggressive warfare, do not wish to find themselves one day without defense before an attack upon them.

The North Atlantic pact is an act of faith in the destiny of Western civilization. Based on the exercise of civil and political liberties, on respect for the human person, it cannot perish.

The North Atlantic pact places in the service of this civilization and of peace the most powerful means of defense that has ever been created. That is why, in the name of an overwhelming majority of the Belgian people, I shall sign it in a few moments with confidence and pride.

REMARKS BY L. B. PEARSON

Secretary of State for External Affairs of Canada

Last week the Parliament of Canada, with only two dissenting voices, endorsed the treaty which we sign here today. This virtual unanimity reflected the views of the Canadian people who feel deeply and instinctively that this treaty is not a pact for war, but a pledge for peace and progress.

The North Atlantic Treaty was born out of fear and frustration; fear of the aggressive and subversive policies of Communism and the effect of those policies on our own peace and security and well-being; frustration over the obstinate obstruction by Communist states of our efforts to make the United Nations function effectively as a universal security system. This treaty, though born of fear and frustration, must, however, lead to positive social, economic, and political achievements if it is to live; achievements which will extend beyond the time of emergency which gave it birth or the geographical area which it now includes.

This treaty does not of itself ensure peace. It does, however, give us the promise of far greater security and stability than we possess today. By our combined efforts, we must convert this promise into performance or the treaty will remain no more than yet another expression of high but unattained ideals. That will not happen to our North Atlantic pact if each of us accepts the challenge it proclaims; if each of us, with trust in the good will and peaceful policies of the others, will strive to make it something more than words. We know that we can do this. If it were not so, we would not today be giving this pledge to stand together in danger and to work together in peace.

We, in this North Atlantic community, the structure of which we now consolidate, must jealously guard the defensive and progressive nature of our league. There can be no place in this group for power politics or imperialist ambitions on the part of any of its members. This is more than

a treaty for defence. We must, of course, defend ourselves, and that is the first purpose of our pact; but, in doing so, we must never forget that we are now organizing force for peace, so that peace can one day be preserved without force.

We are a North Atlantic community of twelve nations, and three hundred and fifty million people. We are strong in our lands and resources, in our industry and manpower. We are strong above all in our common tradition of liberty, in our common belief in the dignity of the individual, in our common heritage of social and political thought, and in our resolve to defend our freedoms together. Security and progress, however, like peace and war, are indivisible. So there must be nothing narrow or exclusive about our league, no slackening of our interest in the welfare and security of all friendly people.

The North Atlantic community is part of the world community and as we grow stronger to preserve the peace, all free men grow stronger with us. The world today is too small, too interdependent, for even regional isolation.

This treaty is a forward move in man's progress from the wasteland of his postwar world, to better, safer ground. But as we reach the distant pastures, we see greener ones far on. As we reach the summit of this lofty peak, higher ones loom up beyond. We are forever climbing the ever-mounting slope and must not rest until we reach the last objective of a sane and moral world.

Our treaty is no mere Maginot Line against annihilation, no mere fox hole from fear, but the point from which we start for yet one more attack on all those evil forces that would block our way to justice and to peace.

In that spirit, and with great pride, I sign this treaty as the delegate and the servant of my country.

REMARKS BY GUSTAV RASMUSSEN

Minister of Foreign Affairs of Denmark

When today, on behalf of Denmark, I sign the North Atlantic Treaty, I do so because it is an instrument of peace, and because it has no other purpose than defense in case an armed attack should occur against any one of the signatory powers.

Under article 1 of the treaty, the parties undertake to settle any international dispute by peaceful means. As has been recently said by a high American official, behind this pledge stand the character and policies of the countries which are parties to the treaty. The very nature of their institutions makes a calculated plan of aggression a virtual impossibility.

The North Atlantic Treaty contains a solemn reaffirmation of the pledges given by those countries under the United Nations Charter. The

treaty is therefore designed to strengthen the system of the United Nations. It constitutes a cornerstone in the fundamental structure of general security.

Twice in this century, the United States of America has gone to war in order to come to the aid of the democratic nations of Europe in their fight against aggression.

By this treaty the United States has in advance expressed her readiness also in the future to stand by democratic and peace-loving peoples, and has thereby contributed in a magnanimous way to the maintenance of peace.

This goal, the preservation of peace, is also Denmark's, in deep accord with the ardent desire and old tradition of the Danish nation.

REMARKS BY ROBERT SCHUMAN

Minister of Foreign Affairs of the French Republic

The history of contemporary France is a succession of aggressions she endured and of attempts she has made to avoid them.

Three times in seventy years she has been invaded. The first time, she was the sole victim of the aggressor. From 1914 to 1918 half of our continent was submerged under the wave of aggression. And the last war overflowed Europe, the invasion became transcontinental, not only because of alliances, but also because of the immensity of the means of action. Invasion crosses neutral frontiers; neither distance nor natural obstacles can stop it any longer.

In the past, the peoples menaced by it too often allowed themselves to be surprised by it. The teaching of experience has led them to draw together. They have placed their confidence in international organization for peace and security. France has constantly supported these efforts and nurtured this great hope. She remains fervently attached to it because she is convinced that in the end humanity will submit to the exigencies of solidarity.

But she is obliged also to recognize that collective organizations, as they function today, have

not yet acquired the necessary efficacy. The Charter envisages the possibility of regional pacts. It authorizes its members to organize individually or collectively for self-defense in conformity with the principles of the Charter.

France ardently desires that the United Nations may become one day strong enough to assure by itself peace and security in the world, thus rendering any individual initiative unnecessary.

But, meanwhile, the Governments which bear the fearsome responsibility of guarding the independence of their countries have no right to put their trust in partial guarantees. It would be criminal for them to neglect a single opportunity, or a possible aid, for the preservation of peace.

The exclusive concern of France is to make impossible any invasion of her own territory or of the territory of peace-loving nations. Our aim cannot be restricted to the winning of a war which might be forced upon us, a war which, even if we win it, would leave Europe ravaged and depopulated. We want to avoid such a war by becoming, together, strong enough, together to safeguard peace.

Who, in justice, could reproach us for such an attempt? What sincere friend could take offense at it? In the past, France has been sufficiently respectful of her obligations and true to her friendships, sufficiently alerted also by dreadful experience, to be beyond all suspicion.

There is no contradiction between two treaties when both have as their object to guarantee the security of the same country but are concluded with different guarantors. The multiplicity of possible risks necessitates a multiplicity of precautions. This answer we gave to Germany when, in 1935, she took objection to the Franco-Russian treaty, incompatible, according to her, with the Locarno pact. Today, we give it to the U.S.S.R. with whom we remain bound by a defense pact against a possible German menace and by the obligation we accepted never to associate ourselves with any threat directed against her. We shall scrupulously honor this obligation. When we expand the network of our friendships, old and new, do we in fact repudiate a friendship which does not satisfy all our need for security? Is it a

threat to anyone when we take our insurance against all risks, when we organize a system of common defense against any attack, whatever its nature?

We are uniting, with the intention of providing a common and reciprocal protection. We want to discourage in advance any aggression, by making it more and more dangerous for the aggressor. Only a potential aggressor could legitimately consider it aimed at him. Our conscience is clear. In signing this pact, France solemnly proclaims her absolute determination to maintain peace. It is not for herself alone that France wants peace, for she knows that peace has become the indivisible property of all, and that, by allowing it to be compromised by one of us, we would all lose it together.

Nations are more and more convinced that their fates are closely bound together, that their salvation and their welfare can no longer be based upon an egotistical and aggressive nationalism but must rest upon the progressive application of human solidarity.

REMARKS BY BJARNI BENEDIKTSSON

Minister of Foreign Affairs of Iceland

The nations who are now forming this new brotherhood are unlike each other in many respects: Some of them are the greatest and most powerful in the world—others are small and weak.

None is smaller or weaker than my one—the Icelandic nation. My people are unarmed and have been unarmed since the days of our Viking forefathers. We neither have nor can have an army. My country has never waged war on any country and as an unarmed country we neither can nor will declare war against any nation as we stated when entering the United Nations. In truth we are quite unable to defend ourselves from any foreign armed attack.

There was, therefore, hesitation in our minds as to whether there was a place for us as participants in this defensive pact. But our country is under certain circumstances of vital importance for the safety of the North Atlantic area. In the last war Great Britain took over the defense of Iceland, and later we concluded an agreement with the United States Government for military protection of Iceland during the war. Our participation in

this pact shows that for our own sake, as well as for the sake of others, we want similar arrangements in case of a new war, which we all indeed hope and pray never will occur.

But it is not only this realistic reason which has decided our attitude. We also want to make it crystal clear that we belong, and want to belong, to this free community of free nations which now is being formally founded.

It is a fact, as I said before, that we are unlike each other in many respects but there are many things which bind us solidly together.

We all face the same danger. In this world of ours, where distances have vanished, peace indeed is indivisible. The same disruptive elements are everywhere at this sinister work. Everywhere they are accusing us, who are working for peace, of being warmongers.

When we were discussing this pact in the Parliament of Iceland, those elements tried with force to hinder that venerable institution in its work. Such violence has never before been tried against the thousand years old Parliament of Iceland.

The misguided crowd which tried this pretended they were shouting for peace. This contradictory behaviour of throwing stones with your hands while you are clamouring for peace with your lips is not in accordance with Icelandic tradition, nor is it in conformity with Western culture. We all know where those habits originate, and this mentality certainly is the greatest menace to the world today.

But it is not only this threat to world peace and human well-being which unites us. Neither is it

only the fact that we all live in the same part of the world. There are stronger bonds which bind us together.

We all belong to the same culture. We would all prefer to lose our lives rather than lose our freedom, either as individuals or nations. We all believe in friendly cooperation among nations. We all want peace for all the world and well-being for mankind.

Therefore, we gather here today hopefully to sign this solemn treaty.

REMARKS BY CARLO SFORZA

Minister of Foreign Affairs of Italy

The Italian nation, after two world wars, in the space of one generation, looks with confidence and hope to this treaty; it sees in it a decisive step towards the advent of peace in a free and united world.

This pact is a complex and articulate instrument in which the will prevails to discourage, through our unity, any aggressive move, preposterous and unlikely as this may appear. To the very few who in good faith still hesitate, be it enough to remind that, had this treaty existed in 1914 and in 1939, there wouldn't have been the battles which spread ruins from Italy to England, from France to Russia.

Indeed, it is not without significance that the European peoples should have apprehended with joy that this treaty would be signed on the free American soil. It helps everybody realize that oceans are on the way of becoming small lakes and that even the most different historical formations represent no more than a variety of folklore in front of the necessity of uniting all of us, in order to save our most cherished common patrimony: peace and democracy.

Signing a pact, however, is not enough. Life shall have to circulate through it, as a result of a constant free collaboration in the service of peace between all its members, present and future.

It is not without a reference to the spirit of this pact, that two of its signatories, the French and the Italian, signed a week ago in Paris a treaty of economic cooperation between our two peoples. Not only would we fail the spirit of the pact, we would also belittle its force if we considered it only as a protective umbrella. We must pray to God that this pact will prove to be like the English Magna Charta: on one side intangible, on the other side a continuous creation.

The North Atlantic pact will constitute one among the noblest and most generous events in human history if all its members will show—within and outside the pact—that the melancholy history of Europe has taught them this supreme lesson: that no nation in the world can feel secure in its prosperity and peace if all its neighbors are not as safely marching towards the same goals of prosperity and security.

REMARKS BY JOSEPH BECH

Minister of Foreign Affairs of Luxembourg

Grouped around the most powerful democracy in the world, the states signatory to the Atlantic pact constitute at once the most formidable and the most sincerely peaceful coalition of material and moral forces that has ever been set up by na-

tions to insure their security and to spare the world the horrors of war.

In the absence of any coercive force belonging to the United Nations, the treaty of assistance and mutual aid among the twelve Western countries

constitutes the most effective guarantee possible for them, a guarantee that is essential in a world where distrust prevails, a world divided by political and ideological conceptions that are radically opposed, with all the risks and dangers that this state of things and of mind involves.

The nations of the West never wanted this division. It is not their concern that other nations have a regime different from theirs, and they ask only normal relations with the East. If, a year ago, five of them placed themselves on the defensive in concluding the Brussels pact, and if, today, the United States and Canada are in their turn joining the ten European countries to organize collective defense and the maintenance of peace, security, and liberty in the North Atlantic community, it is because their unceasing efforts to find common solutions with the countries of the East in important matters have encountered constant intransigence and because, in a word, the policy of conciliation followed by the Western countries has found no echo in the East.

These causes which have given birth to our pact determine and limit its purpose and scope.

The North Atlantic pact is the logical supplement to the Brussels pact.

Like the latter, its purpose is both to prevent war from breaking out, by establishing a balance between the forces confronting each other and to win any war of aggression that may be directed against one or all of the signatory states.

The defensive alliance that we are concluding today cannot of course establish true peace, which

is more than the absence of war, but, like other similar alliances in the past, it may give the world a salutary period of lasting truce. I am sure that that is the fervent desire of the signatories to this pact, all of whom believe that peaceful coexistence of the two regimes is possible and all of whom wish it.

With the aid given to Europe by the Marshall Plan, the Atlantic pact opens a new era of the closest solidarity between the democratic countries of Europe and the new world.

Nothing proves better this ineluctable solidarity of the destinies of our countries than the fact that the United States, breaking with a tradition two centuries old, is concluding a military alliance in peacetime. That is an event of extraordinary historical significance for the United States and of the utmost importance for Europe.

The peoples of Europe note with profound gratitude what the presence at their sides of this mighty and generous country signifies.

They approve and acclaim the pact, and accept the real risks and the heavy obligations that it imposes upon them. They accept it with active faith in the necessity for and the efficacy of the union that has been achieved.

It is in this same spirit that, with the prior assent of nine-tenths of the members of the Luxembourg Parliament, I set the signature of my small country beside those of so many friendly nations at the bottom of this instrument of peace, the Atlantic pact.

REMARKS BY DIRK U. STIKKER

Minister for Foreign Affairs of the Netherlands

The treaty we are about to sign marks the end of an illusion: the hope that the United Nations would, by itself, ensure international peace.

Regretfully, we were driven to the conclusion that the Charter, though essential, is not enough, in the world as it is, to protect those vital principles for which we of the Western world who have gathered here, stand.

Therefore, we felt it our duty to make this treaty. So far from merely marking the end of an illusion, it most especially marks the birth of a new hope of enduring peace.

Its opponents are clamoring that this treaty aims

at war. That is a lie. Its aim is peace—peace, not after a new war, but peace now, and from now on.

We who are vitally interested in the security of the North Atlantic area, henceforth stand united in our resolve to repel aggression, just as we stand united in our resolve not to attack others.

Such, then, is the treaty's unshakable moral basis. We shall sign with a clear conscience in the face of God.

Various aspects of the new treaty are being explained by my fellow speakers. Let me add and stress this:

Together we are determined in our mutual interest to gird the North Atlantic with a chain of strength. That chain is, necessarily, as strong as its weakest link. Let us then strive together, on a basis of equal treatment for all, to uphold the strength of the strongest links, and to increase that of the weakest, for weak links are a common peril. This is a dictate of plain common sense.

Here, as in so many other fields of international cooperation and integration, the Netherlands will not be found wanting. As we have participated in making and implementing the Brussels pact, and Benelux, and OEEC, and a Western European Federation (to name only these), so shall we participate in making the treaty now before us a living and inspiring reality. We know that you all in turn will not fail us.

We rejoice at the thought that at last the truth prevails that the North Atlantic is a highway that

unites, not a barrier that divides. We rejoice at the thought that North Americans and Western Europeans have found each other in a common edifice dedicated to peace. Freedom from fear is being brought nearer to all of us today.

Let me close with a word of Netherlands gratitude to all those who have labored towards bringing us here together. In saying this, I am thinking not only of the negotiators, who I thank most warmly, but also, and no less of those enlightened men who built that massive pedestal of popular support on which this treaty now securely stands: members of Congress, parliamentarians, moulders and interpreters of public opinion in all our countries.

And so, with a humble prayer for God's merciful blessing, I declare the Netherlands Government's readiness to sign this treaty for peace.

REMARKS BY HALVARD LANGE

Minister for Foreign Affairs of Norway

As I am about to sign, on behalf of the Norwegian Government, the North Atlantic pact, I strongly feel that it is a logical sequence to a line which we have followed since the liberation of our country in May, 1945. The five long years of Nazi occupation had given our people a new and deeper conception of freedom, law, and democracy.

And so we were determined that never again must Norway risk the loss of her freedom and all that goes with it.

With great faith and hope the Norwegian Government had taken an active part in the United Nations Conference in San Francisco. When after many divergencies the nations represented there reached agreement and the Charter was solemnly signed, we sincerely believed that a foundation had been laid upon which we—allies and friends of the great war—could build together a future of peace and freedom.

We believe today as firmly as ever in the rightness of the words and spirit of that great Charter and in the fundamental soundness and necessity of the universal idea of the United Nations.

We cannot close our eyes, however, to the fact, that—for reasons which we all know—the United Nations cannot today give us or any other nation

the security to which we had confidently looked forward.

Under these circumstances my country temporarily had to look for a greater measure of security, beyond that provided by membership in the United Nations.

Our first thought, naturally, was to turn to our neighbors and friends in the north of Europe to see what the three of us together could do. As we Norwegians saw it, the best solution would be a Scandinavian regional pact under the Charter of the United Nations, in some way affiliated with the great Western democracies, to which we are so closely related economically, culturally, and ideologically.

As we could not fully agree, however, on the basis for such a Scandinavian defense union and on the necessity of establishing solidarity with a broader and stronger regional defense grouping, the logical solution for Norway was to join the North Atlantic pact. We have a longer coast line on the North Atlantic than any other country. Our experience through the centuries has been that the ocean did not separate. On the contrary, for us it has been the highway of commercial and cultural intercourse.

Before doing so, we asked ourselves some searching questions:

Can the proposed pact offer the protection we need if the worst should happen? Will our obligations under the pact be within our means, without jeopardizing our economic reconstruction program?

We further asked: Is the pact in full accordance with the Charter of the United Nations?

And, last but not least, is the proposed pact of a clearly defensive nature? Will it promote our foremost aim: Peace with freedom?

Studying the text of the pact, we found satisfactory answers to all these questions.

We felt convinced that the prospective signers of the pact considered the preservation of peace and freedom their foremost aim. They would regard any idea of aggression contrary to their most basic instincts and fundamental policies.

Our pact is a pact of peace. It is directed against no nation. It is directed solely against aggression itself.

The moment the United Nations through the common efforts of all its member nations is capable of functioning in accordance with the intention of its founders and with the letter and spirit of the Charter, at that moment the need for such regional arrangements will become much less urgent, and will ultimately be eliminated altogether.

The overwhelming majority of the Norwegian people deeply believes that the signing of the Atlantic pact is an event which may decisively influence the course of history and hasten the day when all nations can work together for peace and freedom.

On this solemn occasion I wish to take the opportunity to express our deep-felt appreciation of the tremendous contribution of the United States of America during and after the war. The scope and vision of the undertakings which the United States have originated for the reconstruction and stabilization of a war-torn world, have seldom been equalled in human history.

REMARKS BY JOSÉ CAEIRO DA MATTA

Minister of Foreign Affairs of Portugal

The Government of Portugal, which I have the honor to represent here on this occasion, received with pleasure the invitation extended by the Government of the United States in its name and in the name of Belgium, Canada, France, Luxembourg, the Netherlands, Norway, and the United Kingdom, to take part in the North Atlantic pact.

The time has now come where we see the concept of this pact become a reality; and, before our signatures are affixed to it, allow me to say a few words in the name of Portugal.

To President Truman, who, with his strong personality, so well symbolizes in this hour the clear political vision and the decisive entry of the United States into this undertaking, go the cordial greetings of the Government and people of Portugal.

My country, in accepting the invitation extended to her to take her place among the original participating nations in the Atlantic pact, was not—I can affirm—concerned exclusively with considerations of her own security: she did so much more because of her recognition of the need of giving her cooperation to this great effort. More than

ever it is necessary to defend the principles and the positions which those peoples that are the depository of the ideals of Western civilization occupy in the world. It can be said that there is now being repeated around the shores of the Atlantic—and on a much vaster scale—the picture which the ancient peoples knew at the time when the finest conquests of the human mind and the highest exponents of civilization were centered in the small but fertile area of the classical world.

Portugal is an Atlantic country whose activities throughout the long centuries of history took place to a great extent on the broad sea which forms her boundary. To those countries to which we are bound by the seaways of the Atlantic, we are brought near by friendly relations. The memory of our first contacts with some of them are lost in the night of time. With one of them we can point to centuries of the closest collaboration.

Europe, which has such a great moral heritage to defend, Europe, reduced in political values, struggling against the greatest and most dangerous mental epidemic of all times, which threatens to destroy the flower of our culture, Europe is anx-

iously seeking a formula for peace. Her moral forces are now exerted in the will to correct her ills. And the evidence of what might be a disquieting shadow on her horizon finds her facing with courage and decision the reality of her present position, appreciative and grateful for the moral and material solidarity nobly offered to her from this side of the Atlantic.

Portugal wishes to assert that she sees in the North Atlantic pact, not only an instrument of defense and international cooperation, but also, for

the reasons and for the aims which govern it, a precious instrument for peace. And she considers herself fortunate to be able to find that, once again, none of the instruments on which her foreign relations are based is in conflict with its letter or its spirit.

May the thought which has made of these nations living examples of true social progress, in work, in freedom, and in peace, keep intact the ties which are being formed today and ensure that this pact may bear the fruit which we expect of it.

REMARKS BY ERNEST BEVIN

Secretary of State for Foreign Affairs of the United Kingdom

Sir, In appending my signature to this pact today, I am doing so on behalf of a free parliamentary nation, and I am satisfied that the step we are taking has the almost unanimous approval of the British people.

Like other signatories, my country has had forced upon it the great task of fighting two world wars against aggression within a period of a quarter of a century.

The cost in human life and treasure was appalling. Succeeding generations in the period following each struggle over a wide area of the world were thrown into a state of uncertainty and harassed by wars of nerves and civil wars.

The common people (who only want to live in peace) have been unable to follow their peaceful pursuits or to sleep safely in their beds.

They have seen their constitutions crushed—constitutions in which they thought they had made their liberty secure.

We have witnessed a period in which, while the countries represented here have been striving to rehabilitate the world and to restore it to prosperity and sanity, they have been constantly frustrated in their efforts.

We have all tried with a genuine desire and firm purpose to build an effective United Nations.

We have endeavored to make its machinery work and to create such confidence in this great world organisation as will enable it to establish security for all the peoples of the world.

But so far our hopes have not been fully realised.

What course then was open to us?

We had to get together and build with such material as was available to us, and this material

was happily at hand in this great Atlantic community, with a common outlook and desire for peace.

Countries whose representatives are signing this great pact today are composed of peace-loving peoples with spiritual affinities, but who also have great pride in their skill and their production and in their achievements in mastering the forces of nature and harnessing the great resources of the world for the benefit of mankind.

Our peoples do not glorify war, but they will not shrink from it if aggression is threatened.

This pact is a concrete proof of the determination of a group of like-minded nations never to fight one another.

These nations are, in addition, linked with many other peoples, who equally will never indulge in aggression.

All these peoples are united in a common line of thought and desire.

Today is not only the day of the signature of this pact, it is also a day of solemn thought—and, may I say, of consecration for peace and resistance to aggression.

Speaking for the British people, I can assure you that they have agreed to make their contribution to the pool for peace.

Although this pact is called the Atlantic pact and is defined as covering the Atlantic area, I must repeat what I stated recently in the British House of Commons, that it does not minimise either our interest in or determination to support others not included in this pact, with whom we have had long years of friendship and alliances.

We are in the process of enthroning and making paramount the use of reason as against force.

The day may come when all the world will accept that view.

Today will bring a great feeling of relief to millions of people.

At last democracy is no longer a series of isolated units.

It has become a cohesive organism, determined to fulfil its great purpose.

But it is not the final end.

We shall pursue with every endeavour the building up of a truly universal United Nations, to which this group of countries will be no mean contributor.

In the solemnity of this moment, I put my signature to this pact in the name of a people who join with other signatories for the preservation of the great freedoms, and in giving an assurance to mankind of our determination to assist all the peoples of the world to live in understanding and good-neighborliness.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES

On this historic occasion, I am happy to welcome the Foreign Ministers of the countries which, together with the United States, form the North Atlantic community of nations.

The purpose of this meeting is to take the first step toward putting into effect an international agreement to safeguard the peace and prosperity of this community of nations.

It is altogether appropriate that nations so deeply conscious of their common interests should join in expressing their determination to preserve their present peaceful situation and to protect it in the future.

What we are about to do here is a neighborly act. We are like a group of householders, living in the same locality, who decide to express their community of interests by entering into a formal association for their mutual self-protection.

This treaty is a simple document. The nations which sign it agree to abide by the peaceful principles of the United Nations, to maintain friendly relations and economic cooperation with one another, to consult together whenever the territory or independence of any one of them is threatened, and to come to the aid of any one of them which may be attacked.

It is a simple document, but if it had existed in 1914 and in 1939, supported by the nations which are represented here today, I believe it would have prevented the acts of aggression which led to two World Wars.

The nations represented here have known the tragedy of those two wars. As a result, many of us took part in the founding of the United Nations. Each member of the United Nations is under a solemn obligation to maintain international peace

and security. Each is bound to settle international disputes by peaceful means, to refrain from the threat or use of force against the territory or independence of any country, and to support the United Nations in any action it takes to preserve the peace.

That solemn pledge—that abiding obligation—we reaffirm here today.

We rededicate ourselves to that obligation, and propose this North Atlantic Treaty as one of the means to carry it out.

Through this treaty we undertake to conduct our international affairs in accordance with the provisions of the United Nations Charter. We undertake to exercise our right of collective or individual self-defense against armed attack, in accordance with article 51 of the Charter, and subject to such measures as the Security Council may take to maintain and restore international peace and security.

Within the United Nations, this country and other countries have hoped to establish an international force for the use of the United Nations in preserving peace throughout the world. Our efforts to establish this force, however, have been blocked by one of the major powers.

This lack of unanimous agreement in the Security Council does not mean that we must abandon our attempts to make peace secure.

Even without that agreement, which we still hope for, we shall do as much as we can. And every bit that we do will add to the strength of the fabric of peace throughout the world.

In this treaty, we seek to establish freedom from aggression and from the use of force in the North Atlantic community. This is the area which

has been at the heart of the last two world conflicts. To protect this area against war will be a long step toward permanent peace in the whole world.

There are those who claim that this treaty is an aggressive act on the part of the nations which ring the North Atlantic.

This is absolutely untrue.

The pact will be a positive, not a negative, influence for peace, and its influence will be felt not only in the area it specifically covers but throughout the world. Its conclusion does not mean a narrowing of the interests of its members. Under my authority and instructions, the Secretary of State has recently made it abundantly clear that the adherence of the United States to this pact does not signify a lessening of American concern for the security and welfare of other areas, such as the Near East. The step we are taking today should serve to reassure peace-loving peoples everywhere and pave the way for the world-wide stability and peaceful development which we all seek.

Twice in recent years, nations have felt the sickening blow of unprovoked aggression. Our peoples, to whom our Governments are responsible, demand that these things shall not happen again.

We are determined that they shall not happen again.

In taking steps to prevent aggression against our own peoples, we have no purpose of aggression against others. To suggest the contrary is to slander our institutions and defame our ideals and our aspirations.

The nations represented here are bound together by ties of long standing. We are joined by a common heritage of democracy, individual liberty, and the rule of law. These are the ties of a peaceful way of life. In this pact we merely give them formal recognition.

With our common traditions we face common problems. We are, to a large degree, industrial nations, and we face the problem of mastering the forces of modern technology in the public interest.

To meet this problem successfully, we must have a world in which we can exchange the products of our labor not only among ourselves, but with other nations. We have come together in a great cooperative economic effort to establish this kind of world.

We are determined to work together to provide better lives for our people without sacrificing our common ideals of justice and human worth.

But we cannot succeed if our people are haunted by the constant fear of aggression, and burdened by the cost of preparing their nations individually against attack.

In this pact, we hope to create a shield against aggression and the fear of aggression—a bulwark which will permit us to get on with the real business of government and society, the business of achieving a fuller and happier life for our citizens.

We shall, no doubt, go about this business in different ways. There are different kinds of governmental and economic systems, just as there are different languages and different cultures. But these differences present no real obstacle to the voluntary association of free nations devoted to the common cause of peace.

We believe that it is possible for nations to achieve unity on the great principles of human freedom and justice, and at the same time to permit, in other respects, the greatest diversity of which the human mind is capable.

Our faith in this kind of unity is borne out by our experience here in the United States in creating one nation out of the variety of our continental resources and the peoples of many lands.

This method of organizing diverse peoples and cultures is in direct contrast to the method of the police state, which attempts to achieve unity by imposing the same beliefs and the same rule of force on everyone.

We believe that our method of achieving international unity through the voluntary association of different countries dedicated to a common cause is an effective step toward bringing order to our troubled world.

For us, war is not inevitable. We do not believe that there are blind tides of history which sweep men one way or the other. In our own time we have seen brave men overcome obstacles that seemed insurmountable and forces that seemed overwhelming. Men with courage and vision can still determine their own destiny. They can choose slavery or freedom—war or peace.

I have no doubt which they will choose. The treaty we are signing here today is evidence of the path they will follow.

If there is anything certain today, if there is anything inevitable in the future, it is the will of the people of the world for freedom and peace.

UNITED NATIONS AND SPECIALIZED AGENCIES

Reconvening of the Third Session of the General Assembly

Statement by Secretary Acheson

[Released to the press by the U.S. Mission
to the United Nations April 5]

On the occasion of the reconvening of the General Assembly, I should like to express what I believe is the conviction of the American people that the United Nations is our best hope of building a peaceful world community.

It embodies the hopes and aspirations to which we dedicated ourselves in the War. We are determined that these purposes shall not be lost, however great are the difficulties to be surmounted. In order to help create those conditions of stability and security which are essential to the full effectiveness of the United Nations, this country has cooperated with other peace-loving nations in efforts to achieve world economic recovery and assurances against aggression. We look upon these as necessary foundations for the kind of constructive and peaceful cooperation among nations which the founders at San Francisco visualized as the real work of the United Nations.

Agenda

A/808

Dated Dec. 15, 1948

I. Committee Reports Awaiting Action by the General Assembly in Plenary Meeting.

1. The problem of voting in the Security Council:
 - (a) Report of the *ad hoc* Political Committee (A/792);
 - (b) Draft resolution proposed by the Union of Soviet Socialist Republics (A/793).
2. Study of methods for the promotion of international co-operation in the political field: report of the *ad hoc* Political Committee.
3. Report of the Economic and Social Council (Chapter III): report of the Third Committee (A/783).
4. Violation by the Union of Soviet Socialist Republics of fundamental human rights, traditional diplomatic practices and other principles of the Charter: report of the Sixth Committee (A/787).
5. Reports of the Advisory Committee on Administrative and Budgetary Questions: report of the Fifth Committee (A/802).

II. Items Awaiting Action by the Committees.

A. First Committee

1. Treatment of Indians in the Union of South Africa: item proposed by India.

2. Question of Franco Spain: implementation of the resolutions and recommendations of the General Assembly of 12 December 1946 and of 17 November 1947: item proposed by Poland.
3. Question of the disposal of the former Italian colonies: item proposed by the United States of America, France, the United Kingdom and the Union of Soviet Socialist Republics.

B. *Ad hoc* Political Committee

1. Study of methods for the promotion of international co-operation: report of the Interim Committee of the General Assembly.
2. United Nations Guard: item proposed by the Secretary-General.
3. Report of the Security Council.

C. Third Committee

1. Report of the Economic and Social Council (Chapter III).
2. Refugees and displaced persons:
 - (a) Problem of refugees and displaced persons: item proposed by Poland.
 - (b) Repatriation, resettlement and immigration of refugees and displaced persons: report of the Economic and Social Council.
3. Freedom of information: report of the Economic and Social Council.
4. Discriminations practised by certain States against immigrating labour, and in particular against labour recruited from the ranks of refugees: item proposed by Poland.
5. Creation of a sub-commission of the Social Commission of the Economic and Social Council on the study of the Social problems of the aboriginal populations of the American continent: item proposed by Bolivia.

A/BUR/AGENDA/57

April 1, 1949

1. Organization of the third regular session (Part II): memorandum by the Secretary-General (A/BUR/115).

2. Allocation of agenda items among Committees (A/808):

(a) Creation of an *ad hoc* committee to consider methods and procedures which would enable the General Assembly to discharge its functions more effectively and expeditiously: item proposed by

April 17, 1949

Denmark, Norway and Sweden (A/743, A/825);

(b) Proposal for the adoption of Russian as one of the working languages of the General Assembly: item proposed by the Union of Soviet Socialist Republics (A/BUR/112);

(c) Proposal for the adoption of Chinese as one of the working languages of the General Assembly: item proposed by China (A/BUR/113).

3. Consideration of requests for the inclusion of additional items in the agenda of the third regular session:

(a) Study of the legal proceedings against Cardinal Mindszenty of Hungary in relation to Article 1, paragraph 3, and Article 55, paragraph c, of the Charter: item proposed by Bolivia (A/820);

(b) Observance of fundamental freedoms and human rights in Bulgaria and Hungary, including the question of religious and civil liberty in

special relation to recent trials of church leaders: item proposed by Australia (A/821);

(c) Question of Indonesia

(i) Item proposed by India (A/826)

(ii) Item proposed by Australia (A/827).

4. Application of Israel for admission to membership in the United Nations: letter, dated 7 March 1949, from the President of the Security Council to the President of the General Assembly (A/818).

5. Application of Ceylon for admission to membership in the United Nations: letter, dated 17 March 1949, from the President of the Security Council to the President of the General Assembly (A/823).

6. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly, Committee on Contributions: note by the Secretary-General (A/BUR/114).

U.S. Views on Former Italian Colonies

STATEMENT BY JOHN FOSTER DULLES¹

U.S. Representative to the General Assembly

In this matter of the former Italian colonies, the General Assembly exercises an authority which is unique in the history of the United Nations. Normally the Assembly can only make recommendations, which are without binding effect upon the member states. In this case, however, the four states which under the Italian peace treaty were charged with the responsibility of disposing of the colonies have agreed in advance to be bound by this Assembly's recommendations. Therefore, the Assembly in the present instance is acting in effect as the supreme legislative authority.

The responsibility which the Assembly thus assumes is a heavy one. The problem does not lend itself to easy solution. Indeed, if there had been an easy solution, the problem would not now be here. The Council of Foreign Ministers has struggled vainly with the matter ever since its first meeting in September 1945. Not only did its three years of effort fail to produce a solution, but in the course of the effort all the Governments concerned have shifted their positions, thus also demonstrating the close balance of many conflicting factors.

It is, as I say, because the problem has proved baffling, that it has at last come to us here, and

what we do with it will not merely affect the destinies of some 3 million people, it will also affect the future of the United Nations itself. Here we are, a body not hampered by the veto, with final authority with respect to a vexing problem which has defied solution by what is commonly referred to as "power politics." If this Assembly proceeds competently to find a just and practical solution, that will add greatly to the prestige of the United Nations. If, on the other hand, the Assembly proves itself impotent, then the result will be that international problems will more and more be dealt with on the basis of applicable national power, rather than on the basis of high principles internationally applied.

The provisions of the Italian peace treaty represented an act of faith in the Assembly of the United Nations. It devolves upon us to justify that faith.

We are dealing here with non-self-governing territories, and we shall, I assume, want to apply the principles of the Charter, which are found notably in chapter XI. Two basic principles are there laid down. First, the interests of the inhabitants are paramount. Second, regard should be had for international peace and security. On behalf of the United States, I shall indicate briefly and in a preliminary way the conclusions which seem to us to be suggested by the application of these two principles to the three colonial areas in question; namely, Libya, Eritrea, and Italian So-

¹ Made in Committee I (Political and Security) of the General Assembly at Lake Success, N.Y., on Apr. 6, 1949, and released to the press by the U.S. Delegation to the General Assembly on the same date.

maliland. In this connection, we have relied largely upon the report of the Commission of Investigation, which in 1947 the Four Powers sent to ascertain the wishes of the inhabitants and to gather other pertinent information.

Let us turn first to Libya. The inhabitants seem well advanced toward self-government and independence, and we believe any Assembly decision should put the primary emphasis on achieving early independence.

Also, the relevancy of this area to international peace and security cannot be ignored. Names such as Tobruk and Bengasi have not been forgotten, and Egyptian and other Arab states are entitled to a solution that does not again place them in jeopardy. The future of Libya, indeed, intimately affects the whole strategic position in the Mediterranean and the Near East.

It seems, therefore, that both the welfare of the inhabitants and international peace and security require that Libya should be placed under the trusteeship system and the administration entrusted to the care of a state or states which have demonstrated the capacity and the will to develop independence, in accordance with article 76 of the Charter, and also to assure that the trust territory shall play its part in the maintenance of international peace and security, in accordance with article 84 of the Charter.

In this connection we believe that the Assembly will wish to consider carefully the view of the Government of the United Kingdom and of the other members of the British Commonwealth. Libya was liberated as the result of a great Allied offensive in which British Commonwealth troops bore the brunt of the fighting. Also, the United Kingdom Government is, under the peace treaty, actually administering all of Libya except Fezzan, and such administration, which has now lasted for upwards of five years, has given intimate knowledge from which this Assembly can, no doubt, profit. Furthermore, the United Kingdom has given ample evidence, not merely by word but by deed, that it genuinely believes in the principle of developing non-self-governing areas so as to make them independent. For this reason, we consider that regardless of whether the General Assembly decides to deal with Libya as a whole or in part, the United Kingdom should be invited to undertake the administration of Cyrenaica.

If we turn to Eritrea, we find people who are neither homogeneous nor ready for self-government. However, in the case of much of Eritrea, there is close affinity with the neighboring people of Ethiopia. Also, in the case of this part of Eritrea, there has been a demonstrated relationship to international peace and security. We feel that it is important that the disposition of the territory be such as to insure that it cannot again be used by any nation as a base of operations against Ethiopia. Furthermore, it seems reason-

able that Ethiopia should have adequate access to the sea.

These considerations combine to suggest that the eastern portion of Eritrea, including the port of Massawa and the city of Asmara, might be incorporated into Ethiopia, subject to appropriate protection of Italian and other minorities.

In the case of the western province of Eritrea, the affinity of the people is closer with the peoples to the west of them, and it would seem that a separate solution should be found for the future of the inhabitants of the western province.

In the case of Italian Somaliland, it is apparent that the inhabitants are not, and in any predictable period will not be, ready for self-government or independence. For a long time to come, outside assistance and guidance will be required in order to develop the meager resources and to bring about a development of the sparse population so that they can stand by themselves. The area is without major strategic importance from the standpoint of international peace and security.

In view of the revival of democratic government and institutions in Italy since the overthrow of Fascism and the demonstrated willingness and ability of the present government of Italy to assume the obligations of a peace-loving state in accordance with the Charter, we feel that Italy should be invited to undertake the responsibility of administering Italian Somaliland under the United Nations trusteeship system.

In all of these matters we believe that the arrangements should be such as to afford the Italian people an opportunity to participate in the development of their former colonies so far as is consistent with the reasonable wishes of the people and the maintenance of harmonious order. The Italian nation has a surplus population of people who have demonstrated, in many parts of the world, their great capacity to develop waste places into productivity. We believe that the material welfare of the Italian people and the inhabitants of Africa can be advanced by cooperation under sound administration. We hope that this Assembly will approach the matter in that spirit. Let us not allow wrongs of the past, however grievous, and emotions of the past, however justifiable, to dominate our debates and to prescribe permanent barriers to the fruitful intercourse of peoples who can help each other and who, in the words of our Charter should practice tolerance and live together in peace with one another as good neighbors.

I offer the foregoing as an indication of the far-reaching importance of the problem with which we deal, and of the many factors which must be taken into account if we are to reach a just and equitable solution. We look forward to hearing the expression of views of other delegates. My Government has every confidence in the inherent wisdom of this body and in its ability to cope with this problem in a manner commensurate with the important issues involved.

The Atlantic Community and the United Nations

BY AMBASSADOR PHILIP C. JESSUP¹

There is nothing novel in the subject which has been given to me to talk about this evening. As a matter of fact, it would be difficult to find any novel point in connection with the North Atlantic pact.² One of the gratifying aspects of the development of the plans for this pact is the fact that it was made public even before it was signed and that there is therefore this present period before its ratification during which people can comment on it. They have commented freely on almost every aspect of it. I have tried to study as many of these comments as possible. Some of them have been made in the press, in news stories, and in editorials or columns, some in radio comments, some in the views or organizations, and some in correspondence and conversation with individuals.

I have collected from all these sources the principal and most frequently recurring arguments and doubts which have been expressed concerning the pact in so far as concerns its bearing on the United Nations. I am not now dealing with other aspects of the pact. I have tried to analyze the points, and I shall try to deal with them tonight.

Before looking at these various views in detail, I should like to suggest that some of them reflect positions which were taken when the idea of the conclusion of such a treaty was known but before its text was made public or even agreed upon. The expression of many of these points of view during the period of negotiation was extremely helpful. It influenced the drafting of the text. I shall not try to be specific and name names or refer to particular points, but I have no doubt that there are many organizations and individuals who have taken satisfaction in seeing reflected in the pact ideas which they had discussed during the negotiating stage.

The relation of the conclusion of the pact to the United Nations can be examined from several points of view. First, there is the text of the treaty itself, which can be analyzed in the light of the United Nations Charter; second, there are the authoritative declarations of the President and of the Secretary of State concerning our policy and our intentions; third, there is an area which is necessarily more speculative—it involves an analysis and appreciation of the world situation and of

the operations of the United Nations and of the way in which the North Atlantic pact will be utilized. Speculation, at least in public, is not generally considered to be good diplomatic practice, but I shall venture a short distance into that field.

One can deal briefly with the analysis of the text of the treaty, since the essential points have already been made abundantly clear in various official statements.

In the first place, the preamble begins with a reaffirmation of faith in the purposes and principles of the Charter of the United Nations.

In the second place, article 1 is a restatement of the specific principles stated in paragraphs 3 and 4 of article 2 of the Charter. Using the language of the Charter, the parties agree to settle their international disputes by peaceful means. This statement is not confined to disputes among the parties to the treaty; it includes disputes between parties to the treaty and states which are not parties. Even more important, this article 1 uses the language of paragraph 4 of article 2 to pledge the parties again to "refrain in their international relations from the threat or use of force . . . in any . . . manner inconsistent with the Purposes of the United Nations." Nothing could be more explicit in declaring the defensive and nonhostile purposes of this treaty.

In the third place, article 5, which might be described as the operative article, calling for joint action in self-defense in case of an armed attack, expressly cites and is based upon article 51 of the Charter. It includes that provision in 51 which requires states acting in self-defense to report immediately any measures which they may be forced to take to the Security Council. It states also the obligation under this same article to terminate any such measures when the Security Council has acted.

In the fourth place, article 7 reaffirms the principle contained in article 103 of the Charter. That article of the Charter says that if there is a conflict between the obligations of members under the Charter and their obligations under any other international agreement, the Charter obligations shall prevail. This is what article 7 provides. This provision is reinforced by article 8, wherein the parties declare that none of their existing international engagements—which include their engagements under the Charter—is in conflict with the provision of this treaty.

¹ An address delivered before the Academy of Political Science in New York, N.Y., on Apr. 7, 1949, and released to the press on the same date.

² For text of the treaty, see BULLETIN of Mar. 20, 1949, p. 339; also printed as Department of State publication 3464.

In the fifth place, article 12 of the pact, which provides for possible review of the treaty after ten years, specifically says that any such review shall take into account "the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security." This is a recognition of the desire of the parties to look forward to the day when a universal security system as originally envisaged in the Charter will materialize and provide the sense of security which is essential to the maintenance of international peace.

So far as official statements are concerned, there has been not one iota of quibbling or evasion. Let me remind you that in his inaugural address, on January 20, the President announced the plans for concluding this North Atlantic Treaty. He therefore had it in the forefront of his mind when he stated the first point of his four-point program, in which the objectives of the United States for the promotion of peace and freedom were outlined. That first point was:

"We will continue to give unfaltering support to the United Nations and related agencies, and we will continue to search for ways to strengthen their authority and increase their effectiveness."

When the North Atlantic pact was signed in Washington on April 4, the President reiterated this policy. He said:

The nations represented here have known the tragedy of those two wars. As a result, many of us took part in the founding of the United Nations. Each member of the United Nations is under a solemn obligation to maintain international peace and security. Each is bound to settle international disputes by peaceful means, to refrain from the threat or use of force against the territory or independence of any country, and to support the United Nations in any action it takes to preserve the peace.

That solemn pledge—that abiding obligation—we reaffirm here today.

We rededicate ourselves to that obligation, and propose this North Atlantic Treaty as one of the means to carry it out.

Through this treaty we undertake to conduct our international affairs in accordance with the provisions of the United Nations Charter. We undertake to exercise our right of collective or individual self-defense against armed attack, in accordance with article 51 of the Charter, and subject to such measures as the Security Council may take to maintain and restore international peace and security.

I think it would overweight the record to cite to you every other authoritative official pronouncement on this subject. I confine myself therefore to reminding you what the Secretary of State said on March 18 over the radio, when the text of the pact had just been released:

The Atlantic pact is a collective self-defense arrangement among the countries of the North Atlantic area. It is aimed at coordinating the exercise of the right of self-defense specifically recognized in article 51 of the United Nations Charter. It is designed to fit precisely into the framework of the United Nations and to assure practical measures for maintaining peace and security in harmony with the Charter.

It is the firm intention of the parties to carry out the pact in accordance with the provisions of the United Nations Charter and in a manner which will advance its purposes and principles.

Now some say that while this record proves that the President and the Secretary of State intend to strengthen rather than weaken the United Nations by the conclusion of the North Atlantic pact, it does not prove that the pact will actually have that effect. That is a natural and proper comment. That is, fortunately, part of our democratic process of popular discussion of great public issues. I think we should therefore analyze the probable results of the pact in the light of its possible influence upon the United Nations. We should do this, as I have said, even though it leads us into the field of speculation.

The question whether the pact will weaken the United Nations cannot be separated from the question whether the pact contributes to the maintenance of peace. Let us plumb this problem by asking the question: "Would any state not a party to the pact be justified in feeling that the conclusion of the North Atlantic Treaty constitutes a threat to its peace and security?" I believe it would not. It is clear from the text of articles 4, 5, and 6 of the treaty that its provisions are not to be brought into play unless there is a threat to the territorial integrity or political independence or security of one of the parties or unless there is an armed attack in the areas defined by article 6. In other words, the treaty does not come into play unless there is a violation of article 2, paragraph 4 of the Charter. These points emphasize the fact which the Secretary of State has made abundantly clear; namely, that the Atlantic pact is defensive and not offensive.

Now article 51 of the Charter justifies action in self-defense only in the case of an armed attack. The whole theory of that article is that force cannot be used as an instrument of national policy on the individual determination by a single state that its interests would be advanced by the use of force.

There is nothing in the pact to call for or justify the use of force against any other state which loyally complies with the Charter of the United Nations. It has been made abundantly clear that the treaty has not been concluded for the purpose of justifying or provoking war but rather for the purpose of making war much less likely. No government of a state not a party to the treaty can say that this treaty is directed against it unless that government is prepared to put on the cap which marks it as having aggressive intentions against one or more parties to the treaty.

For the very reason that the North Atlantic Treaty is subject to and in accordance with the Charter of the United Nations, it cannot constitute a threat to any other state whose policies and actions are also in conformity with and subject to that same Charter.

It would be less than frank, however, to avoid stating the fact that the conclusion of this treaty has resulted from the fears which the policy of the Soviet Union has created. This situation was made crystal clear by Mr. Spaak, the Belgian Prime Minister, at the Paris session of the General Assembly. He was replying to Mr. Vyshinsky, the chief Soviet spokesman, who had made it perfectly plain that his country was not going to cooperate in solving any of the agenda problems before the Assembly. Mr. Spaak said:

I must answer you. I think I am the one to do it, because no one could consider that Belgium is trying to be provocative against the Soviet Union. We are afraid because by your conduct you have rendered this organization ineffective. We are afraid because the problems before this Assembly have remained unsolved; because even when a solution is proposed by a majority of the United Nations you have refused to adhere to this solution. We are afraid because we have placed all our hopes and confidence in the defensive organization of the United Nations; and through the policy you have pursued, you are forbidding us to seek our security and our salvation within the framework of this organization, but making us seek it within the framework of a regional arrangement. We are afraid of you because, in every country represented here, you are maintaining a fifth column, beside which the Hitlerite fifth column is nothing but a boy scout organization, if I might say so. There is not a single spot in the world, whether in Asia, whether in Europe, or whether in Africa, where a government represented here fails to find difficulties and these difficulties are being still further aggravated by you . . .

Since Mr. Spaak made this lucid statement, the recent series of declarations by Communist leaders in a number of countries to the effect that their first loyalty was to the Soviet Union and not the countries of their ostensible allegiance has done nothing to allay these fears. While that sense of insecurity pervades the world, the United Nations cannot flourish and develop as it should. Here we go round the circle, because the United Nations itself cannot remove the sense of insecurity until it has reached a full stage of development based primarily on the cooperation of all the permanent members of the Security Council.

At this present juncture of world affairs, there are two principal ways in which the sense of insecurity can be removed, given the nature of those fears and the source from which they spring. One way, and the way most to be desired, is a change in the policy of the Soviet Government.

I shall comment on only one of the changes in the policy of the Soviet Government which would contribute to a world-wide sense of security. I refer to the question which Mr. Spaak mentioned, the question of cooperation in the United Nations to strengthen the United Nations. It sometimes seems to be assumed that it is the Soviet Union which is cooperating with the United Nations and that it is the United States, which, in entering into this North Atlantic Treaty, is refusing to cooperate. As a great Governor of this State used to say, "Let's look at the record".

There are thirteen specialized agencies of the United Nations. The Soviet Union belongs to

only two of them. Recently it gave notice of withdrawal from the World Health Organization. The United States belongs to all thirteen specialized agencies.

The General Assembly established in 1947 an Interim Committee, frequently called the "Little Assembly." It was alleged that this body was designed to bypass the Security Council. Its record reveals no such desire or intent. The Interim Committee is engaged in studying the improvement of methods for the pacific settlement of international disputes. Should not all members of the United Nations contribute to that task? The Interim Committee studied the problem of voting in the Security Council the use of the veto. There may well be differences of opinion concerning the desirability of limiting the use of the veto in particular cases. Surely the way, the United Nations way, to reconcile differences of opinion so far as possible, is through discussion in the organ of the United Nations, which has the matter under consideration. The Soviet Union has never taken its seat in the Interim Committee, but it can do so whenever it is willing to cooperate in this part of the joint endeavor for peace. The United States has actively cooperated in all phases of the work of this Committee.

The Interim Committee also has the function of guiding certain United Nations commissions when the General Assembly is not in session, specifically the Korean and Balkan commissions. The Soviet Union has not cooperated in the work of those commissions. The United States has cooperated.

These are specific points. More could be listed. More could be said about the many other Soviet attitudes and positions which, as Mr. Spaak said, have brought about the conviction that the Union of Soviet Socialist Republics is not cooperating with and through the United Nations to make the peace secure. None but the Soviet Government can alter the existing impression. The Soviet Government can begin tomorrow to build up confidence where it has already built up fear. I do not deny that it will need to overcome great skepticism, but no one has closed, or is attempting to close, the door on an honest attempt.

It is impossible to overlook the fundamental cleavage in the basic theory of the Soviet Union on the one hand and of the United States on the other. The Soviet Union officially stands on the proposition that war is inevitable.

The Soviet Union is officially committed to a philosophy of conflict, which is alien to our thinking and to our ideals. Premier Stalin likes to quote the following passage from Lenin:

We live . . . not only in a state but in a system of states, and the existence of the Soviet Republic side by side with the imperialist states for a long time is unthinkable. In the end either one or the other will conquer. And until that end comes, a series of the most terrible collisions between the Soviet Republic and the bourgeois states is inevitable.

We also believe that we live in a system of states, but from this premise is drawn the opposite conclusion. Our conclusion is that it is unthinkable that the members of that system of states should not be able to find ways to live in peace with each other.

As the President said in his speech at the signing of the North Atlantic pact on April 4:

For us, war is not inevitable. We do not believe that there are blind tides of history which sweep men one way or the other. In our own time we have seen brave men overcome obstacles that seemed insurmountable and forces that seemed overwhelming. Men with courage and vision can still determine their own destiny. They can choose slavery or freedom—war or peace.

I have no doubt which they will choose. The Treaty we are signing here today is evidence of the path they will follow.

We believe in the capacity of the human mind and spirit to bridge the deepest chasms, to overcome the most formidable obstacles. The conflict in the world today is the conflict between the Marxist dogma that we must have war and our Western faith that we can have peace. That faith is an abiding faith, and it will triumph.

Obviously, if the Soviet Union considers that war is inevitable, it prepares for war. So long as it is preparing for war other states must take defensive precautions. Since, however, we in the United States start from the proposition that war is not inevitable, we do not proceed on the theory that a preventive war must be initiated.

Since the world has not yet received convincing evidence of a change in Soviet policy, the way in which the United States can help to eliminate or to lessen the sense of insecurity is by a firm and honest declaration of purpose, which the North Atlantic Treaty provides. I would remind you of the passage in the President's inaugural address in which he said:

The primary purpose of these agreements is to provide unmistakable proof of the joint determination of the free countries to resist armed attack from any quarter. Each country participating in these arrangements must contribute all it can to the common defense.

If we can make it sufficiently clear, in advance, that any armed attack affecting our national security would be met with overwhelming force, the armed attack might never occur.

One also sees arguments against the North Atlantic pact which seem to reflect the fear that the conclusion of this treaty is a definitive and final espousal of the theory that the hope for a universal peace and security system which inspired the drafting of the Charter in 1945 is dead. This is not the case. The necessities of the present require the conclusion of this treaty, but it is by no means an abandonment of the aspiration for a universal system. This point was made clear by Assistant Secretary Rusk in a radio broadcast on March 20, when he said that we do not regard the North Atlantic pact "as a fully satisfactory or permanent solution." He went on to say "We have rejected national or regional isolationism."

He pointed to the fact, and it is a fact, that the best assurance we have on this point is to be found "in the intentions of the American people. They want a world-wide security system, and they won't be content with a regional system." The Government of the United States has not ceased, and will not cease, to direct its policy toward the development of a universal system for international peace and security. We have not created the tensions which make this defense pact necessary at this time. We devoutly hope that it will never be necessary to invoke the provisions of this pact. But we would not be discharging our responsibilities to the United Nations and to the peoples of the world if at this juncture we did not make this clear declaration concerning the steps we are prepared to take in conformity with the Charter, should the need arise.

Now it is also argued that article 9 of the North Atlantic treaty contains a threat to the Security Council. Article 9 provides for the establishment of a council composed of representatives of all of the parties. People ask whether we intend to divert into this council the consideration of international problems which ought to be dealt with in the Security Council of the United Nations.

We have no such intention. This council, established under article 9, is "to consider matters concerning the implementation of this Treaty." If it had been in existence during the past years, it would not have been used to settle the Palestine case, or the Indonesian case, or the Kashmir case. Since the Soviet blockade of Berlin was a threat to the peace and affected the area covered by the treaty, the council to be set up under article 9 might have given preliminary consideration to that question from the point of view of the potential threat involved. Such consultations would not have affected the jurisdiction or the use of the Security Council. The Security Council remains the body to which we and all the other members of the United Nations have entrusted "primary responsibility for the maintenance of international peace and security . . ." That is what is stated in article 24 of the Charter and article 7 of the North Atlantic pact says specifically that this treaty does not affect that responsibility.

If the Soviet Union will join in making the Security Council an effective instrument for the discharge of its responsibilities, the Security Council and the United Nations itself will grow in stature and in influence. Meanwhile, its growth can be stimulated by the existence of such agreements as this peace pact for the North Atlantic community.

It is worth noting that the criticisms of the North Atlantic pact as a rival to the United Nations were not addressed to the Rio pact of 1948. The Rio pact had a very similar basis in terms of a regional arrangement relying heavily on article 51 of the Charter. Perhaps when the Rio pact was concluded those interested in the United Nations remembered particularly that the conclusion

of some such regional arrangement for the Americas was planned at the Chapultepec conference of 1945, just before the United Nations meeting in San Francisco. The probability of its conclusion was very much in the minds of those who framed the Charter. The Rio pact therefore seemed to many a reasonable development in no way in conflict with the Charter. I suppose the reason why many people have not taken the same attitude in regard to the Atlantic pact is that they are influenced more by the political than by basic legal arguments. They might well agree that technically the Atlantic pact has a sound legal foundation but they are worried that, because of the vital political relationship of the North Atlantic states to the Soviet Union, this new pact may have serious world-wide political repercussions which did not result from the Rio pact. Perhaps if the North Atlantic Treaty had been preceded by some other regional defense arrangements, it would have been less subject to this criticism. Perhaps the very importance of this agreement among this particular group of states is what causes concern. It would be a mistake to underestimate the importance of the Rio treaty, just as it would be a mistake to minimize the importance of the North Atlantic pact. But it would also be a mistake to assume that this treaty dealing with the North Atlantic area endangers the United Nations any more than the Rio treaty endangered the organization.

The extremists among world-government advocates run greater risks of endangering the future of the United Nations. In their position is found the antithesis to the approach marked by the Atlantic pact. Those responsible for the pact take the first practical step for consolidating peace in a crucial area. By the conclusion of the treaty, they enhance a solidarity hitherto embryonic. In so doing they avowedly and in fact support the United Nations. World-government extremists, unhappy over the defects of the United Nations, would scrap the progress which it marks and begin anew. They wish to buy a prefabricated home made all in one piece. They do not wish to bother with foundations or practical little details like septic tanks and plumbing and water supply. Happily these persons are not representative of all world-government advocates. Many of them advocate building on the existing foundations, that is on the United Nations. Many of them are willing to take their coats off and to work on putting a roof—or at least a tarpaulin—over our heads. While doing so, they look forward to the day when the palace of all our dreams will shelter us.

Such an attitude is a worthy reflection of our early pioneering spirit. This country was settled by men and women who had their dreams of the future but did not let those dreams interfere with clearing the forest, planting the corn, and maintaining their necessary defenses.

We may be at the crossroads of a process by which through such arrangements as these, tied securely into the Charter, a decisive and unaggressive preponderance of power in the hands of states supporting the United Nations can be established. It must be our hope that the circle of states supporting the United Nations will steadily broaden until it becomes universal.

Resolution on Trade Union Rights: Freedom of Association

U.N. doc. E/1300
Adopted Mar. 17, 1949

The Economic and Social Council

TAKES NOTE of General Assembly resolution 128 (II) concerning trade union rights (freedom of association) and international machinery for their safeguarding;

RECALLS its resolutions 52 (IV) and 84 (V); and

HAVING EXAMINED the note from the International Labour Organisation recording the decisions concerning freedom of association taken by the International Labour Conference at its thirty-first session (document E/863);

OBSERVES the action taken and proposed by the International Labour Organisation within its recognized competence, in particular the adoption, by the International Labour Conference, of the Freedom of Association and the Protection of the Right to Organize Convention, 1948;

FURTHER NOTES the resolution of the International Labour Conference concerning international machinery for safeguarding freedom of association;

Instructions the Secretary-General to enter into consultation with Director-General of the ILO for exploration of the question of enforcement of trade union rights (freedom of association) as provided in resolution 84 (V) of the Council and to study jointly the control of the practical application of trade union rights and freedom of association as provided for in resolution 128 (II) of the General Assembly;

Requests the Secretary-General to report to the Council on the results of his consultations, with a view to enabling the Council to give the matter further consideration, including consideration of the question of further co-operation with the Governing Body of the ILO; and

Transmits the decisions concerning freedom of association taken by the International Labour Conference at its thirty-first session to the Commission on Human Rights in order that it may consider the contents of the Freedom of Association and the Protection of the Right to Organize Convention, 1948, and the resolution concerning international machinery for safeguarding freedom of association, when drawing up for submission to the Council its final proposed text of the International Covenant on Human Rights and draft articles of implementation.

The United States in the United Nations

[April 9-15]

International Court of Justice

The International Court of Justice has just handed down its decision that Governments may be sued for injuries caused to the United Nations or its agents in the execution of U.N. business.

The question of reparations for injuries sustained in U.N. service was submitted to the Court in a General Assembly resolution prompted by the death of Count Bernadotte in Palestine and of eleven other persons on U.N. assignments. The Court's judgment was that the United Nations exercises and enjoys functions and rights explained on the basis of its possession of a large measure of international personality and capacity to operate upon an international plane. The Court unanimously decided that, with this interpretation of the United Nations as having an international personality, it is entitled to maintain its rights by bringing international claims.

The United States was among those countries submitting written observations.

U.N. Assistant Secretary-General Ivan Kerno and A. H. Feller, Director of the U.N. Legal Department, termed the Court's decision an "historic landmark" that strengthens the legal status of the United Nations under international law.

Corfu Channel Case

The International Court of Justice has ruled by a vote of 11 to 5 that Albania is responsible under international law for the damage and loss of life which resulted when two British destroyers struck mines in the Albanian territorial waters of the Corfu Channel in October 1946. The Court will decide later on the amount for damages to be paid by Albania.

The issues in this long-debated case were considered by a committee of the Security Council, but were never resolved. The disputing nations then agreed last year to abide by whatever decision the Court would give, though Albania is not a member of the United Nations. The Court concluded that the mines could not have been laid without the knowledge of Albania and that it was her duty to warn ships of the danger in passing through the channel. The Court also ruled that Britain did not violate the sovereignty of Albania "by reason of the acts of the British Navy in Albania waters" in this case, but that such sovereignty was violated the next month when Britain sent minesweepers into the channel. The tribunal stated, however, that the declaration of the Court concerning this gives appropriate satisfaction for that offense.

April 17, 1949

U.N. Guard

The *Ad Hoc* Political Committee of the General Assembly adopted a Philippine resolution on April 11 to refer the Secretary-General's proposal for the establishment of an initial U.N. guard force to a special committee for study.

This proposal recommends a force of 800 men to protect U.N. missions in scattered parts of the world. In introducing the proposal on behalf of the Secretary-General, Mr. Feller of the U.N. Legal Department said that these men would be members of the Secretariat and recruited on an international basis, in accordance with articles 100 and 101 of the Charter. They would not be a military force and their arms would be limited to personal emergency defense weapons. In every case the functions would be exercised in accordance with the Charter.

The Soviet Delegate Malik expressed strong opposition, terming the proposal a "contribution to practical implementation of the expansionist policy of some powers" aimed at "using the U.N. for their own selfish purposes." Benjamin Cohen, U.S. Delegate, in supporting the Philippine resolution emphasized that the special committee should be free to consider the problem of creation of a U.N. guard in all its aspects. He rejected Soviet allegations of ulterior motives on the part of countries favoring the Secretary-General's plan.

The report of the special committee on the U.N. guard force will be considered at the fourth regular session of the General Assembly.

Voting in the Security Council

The General Assembly in plenary session on April 14 adopted a resolution which provides for a policy of gradual liberalization of the voting procedures of the Security Council. Forty-six countries supported the resolution, the six countries of the Slav bloc opposed it, and two countries abstained.

The proposal drawn up last year by the *Ad Hoc* Political Committee of the General Assembly where it was sponsored by four permanent members of the Security Council—China, the United Kingdom, the United States, and France. It was based largely on a study of the question by the Interim Committee. The resolution recommends restriction of the use of the veto on 34 types of decisions which are considered procedural. It also recommends that the major powers agree voluntarily among themselves to restrict the veto on certain substantive matters, particularly those involving the admission of new members and the pacific settlement of disputes.

Warren R. Austin strongly recommended adoption of the resolution, stating that if the members of the United Nations would cooperate in carrying out the recommendations, he believed there would be substantial improvement in the effectiveness of the Security Council's operations.

Korea

A Chinese resolution to admit the Republic of Korea to the United Nations was defeated by the U.S.S.R. in the Security Council on April 8 when it cast its 30th veto. The Republic of Korea represents the 8th country barred from the United Nations by Soviet vetoes. During the debate the Soviet and Ukrainian delegates renewed their previous charges that the Republic is a "puppet" regime.

Ambassador Austin led the support for Korea's application, pointing out that Soviet claims and charges had been overwhelmingly rejected by the General Assembly last December in Paris. At that time, the Assembly recognized the government of the Republic as the only lawful government in Korea.

Israeli Membership

The application of Israel for membership in the United Nations was admitted to the General Assembly agenda on April 13 and referred to the Political Committees. The United States favored immediate action by the Assembly as recommended by the 14-member Steering Committee, but 31 countries voted in favor of a Pakistani amendment which will delay final action until the matter is reviewed in committee.

Freedom of Information

A 12-member Subcommission of Freedom of Information and of the Press has been appointed by the Commission on Human Rights from 27 nominees at a special meeting on April 11. The Economic and Social Council voted in March to continue through 1952 this Subcommission of the Human Rights Commission which was set up to study, report, and make recommendations on means of promoting freedom of information and the reduction or elimination of barriers to free flow of information between countries with particular reference to news.

Meanwhile, discussion is continuing in the Social, Humanitarian and Cultural Committee of the General Assembly on three draft conventions concerning freedom of information relating to (1) the gathering and international transmission of news, (2) the institution of an international right of correction, and (3) freedom of information. The conventions are being considered article by article and thus far members have agreed on the first two articles of the convention on gathering and international transmission of news. Included in the first article is an agreed definition of "information agency," "correspondent" and "news material." The second article provides

that "in order to facilitate the freest possible movement of correspondents in the performance of their functions" the contracting states shall expedite travel of correspondents within their territories and shall not impose restrictions which discriminate against such correspondents.

A Polish amendment was rejected which would have added to the definition of "news material" a phrase designed to restrict news that might provoke threats to the peace. U. S. Delegate Erwin D. Canham told the committee that the Polish amendment would give governments a chance to impose news censorship and set in motion a new power "on the evil path of misunderstanding" between nations and peoples.

International Law Commission

The newly elected 15-member International Law Commission began its first session at Lake Success on April 11 and elected Judge Manley O. Hudson of the United States as Chairman. The members of this Commission were elected by the General Assembly in Paris, the Statute of the ILC having been approved by the Assembly in 1947.

The Commission agreed without objection to begin discussion of the first agenda item, planning for the codification of international law, with the understanding that this would include general discussion of the Commission's terms and plan of work. Other items on the agenda concern the rights and duties of states, the desirability and feasibility of creating an international judicial organ for the punishment of genocide, ways and means for making the evidence of customary international law more readily available, and co-operation with other bodies of the United Nations and other national and international organizations.

Indonesia

Discussions began April 14 in Batavia between representatives of the Netherlands and of the Indonesian Republic under the auspices of the U.N. Commission for Indonesia. These talks were proposed by the Commission as a step in compliance with the Security Council communication of March 23 calling for such discussions. Republican agreement to participate was conditioned on the understanding that the initial discussions concern the restoration of the Republican Government at Jogjakarta, as called for earlier by the Security Council.

U.S. representative Merle Cochran, has the rotating chairmanship this week. Dr. J. H. Van Royen heads the Netherlands delegation and Dr. Mohammed Roem, the Republican.

World Health Organization

Honduras became the 61st member of the World Health Organization by depositing the instrument of ratification with the United Nations at Lake Success. Honduras is the 13th of the American republics belonging to the WHO.

Request for Military Assistance From Atlantic Pact Countries ¹

Statement by Secretary Acheson

The Department of State on April 8 released copies of communications exchanged with the Brussels treaty powers and with Norway, Denmark, and Italy concerning the provision by the United States of military assistance to those countries. Before I deal specifically with these requests, I should like to review briefly some of the considerations which have led the executive branch of the Government to decide that the provision of arms and equipment to free and friendly nations is in the highest interests of the American people.

It is now clear that in the world of today we can no longer rely on our geographic position to preserve our security and peace. Our security and peace necessarily rest in the combined security and peace of the democratic world. Thus, the single purpose of our foreign policy has been to make a free world possible and more secure. The foreign policy which this Government has actively pursued since the termination of World War II has had as its fundamental objective the improvement of the security of the American people, by assisting in bringing about conditions which will make for peace. Our policy has been directed towards preserving free institutions and nations, to enable them to pursue, through their own efforts, the democratic way of life, from which we have benefited so much. To this end we embarked upon the European Recovery Program, which is by all odds the most important and hopeful application of the foreign policy I have described: the policy of preserving and strengthening the environment of freedom.

To the same end of preserving peace we have, in conjunction with certain Western European countries and Canada, signed the Atlantic pact. It is clear, however, that the restoration of political and economic health in Western Europe, so essential to our peace and security, requires on the part of the peoples of that area a confidence in the future, a sense of personal security, and a reasonable assurance of peace. If they do not have that confidence, their progress towards recovery and the establishment of self-supporting sound economies for strengthening democratic institutions will be handicapped.

It is against this background that we have for several months been developing a program of foreign military assistance. That program is being planned on the basis of information as to the

urgent military needs of certain of the Western European nations which we received from them informally some time ago. Substantially review of this information has already been undertaken by us. The formal requests do not, therefore, create a new need for military assistance; rather, they serve to confirm a situation of which we have been aware and to establish the principles upon which the use of our assistance can be based.

The requests for military assistance now formalized by this exchange of notes are predicated upon an urgent need for improvement in the defensive capabilities of the countries requiring such assistance, thereby discouraging aggression against them. The military assistance program, like the Atlantic pact, is part of a policy which is entirely defensive in its scope. It could not be otherwise. Aggression is contrary to the basic traditions, instincts, and fundamental policies of the nations involved. There can be no doubt that the Atlantic pact countries have much to lose and nothing to gain from war. By the very fact of our democratic systems of government, we can never conspire to undertake aggressive action. The public discussions in this country and abroad which will take place concerning the North Atlantic pact and the proposed military assistance program are clear guarantees that we are not preparing for an aggressive war.

The requests come from certain of the nations who have this week joined with us in signing the North Atlantic pact. It is important to note, however, that the requests are not a product of the pact—an instrument which is not yet in effect. Thus, even without the existence of the North Atlantic pact, the need for assistance and the recommended response of this Government would be the same. I need only refer to the address to Congress on March 17, 1948, by the President of the United States, when he stated in referring to the conclusion of the Brussels treaty: "I am sure that the determination of the free countries of Europe to protect themselves will be matched by an equal determination on our part to help them to do so." In his inaugural address this year the President stated as a part of his program that "... we will provide military advice and equipment to free nations which will cooperate with us in the maintenance of peace and security."

These requests and our replies therefore in no sense represent a price tag to be placed upon the

¹ Released to the press Apr. 8, 1949.

pact. At the same time, by stressing the willingness of each requesting nation to do what it can to help itself and each other in the common cause, they are consistent with the spirit of the pact. Our decision to provide assistance will represent a careful, honest judgment of an effective means by which we can contribute to the collective defense of the North Atlantic area. This program will thus become a powerful factor in assuring success for the aims of the pact. As the countries of Western Europe develop their strength to resist aggression, they will become better able to contribute not only to the peace and security of the North Atlantic area, but to the peace and security of the world.

Let us now review briefly the terms of the requests. They all emphasize certain basic principles of vital importance in assuring the United States that our assistance will yield maximum benefits to us as well as to the recipients. They all recognize that economic recovery must be given first priority; they all recognize in clear terms that each country must undertake to do what it can to help itself and help the other parties of the pact; they all recognize the importance of building up at this time a modest program of arms production, over and above what had been contemplated in their budgets for this year, so undertaken as not to impede the progress of the Economic Recovery Program.

Of particular significance is the fact that these principles have been put into actual working operation by the five Western Union countries. Their coordinated request is the result of careful examination, as a group, of what, as a group, they can do for themselves. Their coordinated answer augurs well for the future successful establishment of a cooperative common defense program for the North Atlantic area.

While the assistance to the North Atlantic pact countries will constitute the larger part of our assistance program, the proposed program does call for some assistance to other areas. This will include assistance to areas to which we have already undertaken commitments, such as our military assistance program to Greece and Turkey.

I cannot at this time give a figure, a range of figures, or an informed guess, of what the cost of the program will be for either the North Atlantic pact countries or for other areas. That matter is now being considered jointly with the Bureau of the Budget and will be submitted to the President. When the President has made his review I will then be in a position to make the figure known to the Congress and the people of the United States.

¹ Presented to the Department of State by the Luxembourg Minister, Hugues Le Gallais, as representative of his Foreign Minister, Joseph Bech, Chairman of the Consultative Committee of the Brussels Treaty Powers. The Committee consists of the five Foreign Ministers.

Exchange of Communications Between the Brussels Treaty Powers and the United States

*Request from Brussels Treaty Powers to the United States Government for Military Assistance*¹

April 5, 1949

1. Since the signature of the Brussels Treaty the five Governments [United Kingdom, France, Belgium, the Netherlands, Luxembourg] have had under consideration a common defence programme. Convinced of the necessity for such a programme, they believe that its formulation and application must be based on entire solidarity between them. They have reached the conclusion that if this defence programme is to be effective the material assistance of the United States Government is essential. The principles on which the programme should be based are set out in the following paragraphs.

2. The main principles would be self-help, mutual aid, and common action in defence against an armed attack. The immediate objective is the achievement of arrangements for collective self-defence between the Brussels Treaty Powers within the terms of the Charter of the United Nations. The programme would be considered as a further step in the development of Western European security in the spirit of the statement made by President Truman to Congress on March 17, 1948, the day of the signature of the Brussels Treaty. It would be in accordance with the general objective of Article 3 of the North Atlantic Pact, and would result in each Party, consistent with its situation and resources, contributing in the most effective form such mutual aid as could reasonably be expected of it. It would also be in accordance with the principles expressed in the Resolution of the Senate of the United States of June 11, 1948.

3. The military strength of the participating Powers should be developed without endangering economic recovery and the attainment of economic viability, which should accordingly have priority.

4. In applying these general principles of a common defence programme the signatories of the Brussels Treaty attach importance to the following points:

A. The armed forces of the European participating countries should be developed on a coordinated basis in order that in the event of aggression they can operate in accordance with a common strategic plan.

B. They should be integrated so as to give the maximum efficiency with the minimum necessary expenditure of manpower, money, and materials.

C. Increased military effort, including increased arms production, should be consistent with economic objectives and the maintenance of economic viability. Additional local currency

costs should be met from non-inflationary sources.

D. Arrangements concerning the transfer of military equipment and supplies for such production among the European participating countries should permit transfer, in so far as possible, without regard to foreign exchange problems and without disrupting the intra-European payment scheme.

5. In order to carry out a common defence programme on the basis of the above principles, there is urgent need for United States material and financial assistance. The Signatories of the Brussels Treaty will therefore be glad to learn whether the United States Government is prepared to provide this assistance to them.

6. In the event of a favourable reply in relation to the above request, a detailed statement of the specific needs of the signatories of the Brussels Treaty for the year 1949/1950 will be transmitted to the United States Government at the earliest possible date.

Reply of the United States Government to the "Request from the Brussels Treaty Powers to the United States Government for Military Assistance" dated April 5, 1949²

April 6, 1949

1. The Government of the United States refers to the memorandum dated April 5, 1949 from the Brussels Treaty Powers, which inquires whether the United States will provide military assistance in the form of military equipment and financial aid to the Brussels Treaty Powers and which sets forth the principles on which such request is made.

2. The Executive Branch of the United States Government is prepared to recommend to the United States Congress that the United States provide military assistance to countries signatory to the Brussels Treaty, in order to assist them to meet the matériel requirements of their defense program. Such assistance would be extended in recognition of the principle of self-help and mutual aid contained in the Atlantic Pact, under which Pact members will extend to each other such reciprocal assistance as each country can reasonably be expected to contribute, consistent with its geographic location and resources, and in the form in which each can most effectively furnish such assistance.

3. It will be requested of the Congress that such assistance be in the form of military equipment from the United States required by their common defense program and the provision of some financial assistance for increased military efforts on their part required by such defense program. It will be understood that the allocation of this matériel and financial assistance will be effected by common agreement between the Brussels Treaty Powers and the United States.

4. The United States Government will accord-

April 17, 1949

ingly appreciate receiving as soon as possible the detailed statement of the specific needs of the signatories of the Brussels Treaty for the year 1949-50 as proposed in paragraph (6) of the request from the Brussels Treaty Powers.

Exchange of Communications Between the Governments of Denmark and the U. S.

April 7, 1949

On March 14th, 1949, the Danish Foreign Minister submitted to the Department of State lists of the items of military equipment which in the opinion of the Danish Government is urgently needed at the present time to strengthen its ability to defend the country against aggression.

In requesting military assistance from the United States, the Danish Government realizes that such aid by the United States would be extended in recognition of the principle of self-help and mutual aid contained in the North Atlantic Treaty, signed in Washington on April 4th, 1949, under which Treaty members will extend to each other such reciprocal assistance as each can reasonably be expected to contribute, consistent with its geographic location and resources, and in the form in which each can most effectively render such assistance. On its side, the Danish Government is ready to provide to members of the North Atlantic Treaty, in recognition of the principle of self-help and mutual aid contained in the Treaty, such reciprocal assistance as Denmark can reasonably be expected to contribute, consistent with its geographic location and resources and in the form in which it can most effectively render such assistance.

Denmark is willing to increase its military effort including production insofar as this is possible without endangering its economic recovery and stability which should have priority. It will, however, need assistance from the United States to help it meet the dollar costs involved in increased production.

The Danish Government hopes that the United States Government will be prepared to extend military aid to Denmark in accordance with the above principles and would greatly appreciate to learn the views of the United States Government with regard to the scope and character of the contemplated assistance.

April 7, 1949

Reference is made to the Memorandum of the Danish Embassy of April 7, 1949, requesting the views of the United States Government with respect to the provision of military assistance to the Danish Government.

The Executive Branch of the United States Government is prepared to recommend to the United

² Presented to the Luxembourg Minister, Hugues Le Gallais, on behalf of the United States Government.

States Congress that the United States provide military assistance to the Government of Denmark in order to assist it to meet the matériel requirements of its defense program. It will be requested of the Congress that such assistance be in the form of military equipment from the United States required by Denmark's defense program and the provision of some financial assistance for increased military production on Denmark's part required by its defense program. Such assistance would be extended in recognition of the principle of self-help and mutual aid contained in the Atlantic Pact.

It is understood that the information previously made available to the United States Government by the Government of Denmark concerning its requirements for military assistance remains unchanged.

Exchange of Notes Between the Governments of Italy and the U. S.

April 6, 1949

The Italian Ambassador presents his compliments to the Honorable the Secretary of State and has the honor to refer to the steps previously taken by the Italian Government which emphasized to the United States Government the urgent need of some items of military equipment for the strengthening of the Italian Armed Forces. With reference thereto, the Italian Ambassador has the honor to stress that, following the signature by Italy of the Atlantic Pact, and in view of the obligations ensuing from the participation of Italy in such treaty, the need for military assistance continues to be very urgent at the present time if the Italian military establishment is to be put in a position to resist effectively aggression.

Upon entering into the North Atlantic Pact, the Italian Government is aware that, in order fully to achieve the objectives of this treaty, Italy must separately and jointly with the other participants maintain and develop its individual and collective capacity to resist armed attack by means of continuous and effective self-help and mutual aid.

While the Italian Ambassador reiterates the need for military assistance from the United States, he wishes to emphasize that the Italian Government realizes that any aid coming from the Government of the United States would be extended in recognition of the principle set up above, under which prospective Pact members will extend to each other such reciprocal assistance as each country can be expected to contribute, consistent with its geographic location and resources, and in the form in which each country can most effectively furnish such assistance. In relation thereto the Italian Ambassador wishes also to stress, under instructions from his Government,

that in turn Italy is ready to provide to members of the Atlantic Pact such reciprocal assistance as it can reasonably be expected to contribute, consistent with its geographic location and resources and in the form in which it can most effectively furnish such assistance.

The Italian Ambassador has also been instructed to point out that the Italian Government realizes that, since Italy is engaged in the effort of achieving economic recovery through the assistance generously granted by the American Government in the framework of the European Recovery Program, it would be harmful to increase military production to such an extent as to endanger the successful pursuance of economic recovery.

An increase in military production in Italy, which would derive from the program of self-help and mutual aid, and which Italy might plan for the furtherance of the aims of the North Atlantic Pact, must therefore be contained within such limits as to allow the successful prosecution of the program of economic recovery and the maintenance of economic viability. The Italian Government realizes in fact that economic recovery contributes strongly to the re-creation of confidence and hope in Europe and that a program of military aid must be pursued in such a manner as to facilitate the achievement of the goals of the European Recovery Program adding another stone to the structure of European recovery. Therefore, while Italy will devote its energies to increasing its ability to resist armed attack and thus contribute to European stability, the Italian Government will see that these programs will not affect the result of the European Recovery Program in Italy. In this respect the Italian Ambassador wishes also to stress that, in view of its shortage of dollars, the Italian Government, in planning said increase of military production in Italy, will need some assistance from the United States in order to help meet the dollar costs which will be involved in this new production. While the Italian Government will deeply appreciate any aid of this kind that the United States Government will extend, it will see to it that the cost of the new military production in local currency be met from non-inflationary sources.

The Italian Ambassador expresses the hope that the United States, in view of the principles set up in the North Atlantic Pact, will be prepared to extend military aid in such a manner as to facilitate the participation of Italy in such a program.

The Italian Ambassador will greatly appreciate receiving at the earliest convenience any information that the United States will kindly give on its views as to the assistance that it is prepared to extend, and has the honor to thank for the Honorable Secretary of State's interest in the matter.

April 7, 1949

The Secretary of State presents his compliments to His Excellency the Ambassador of Italy and has the honor to refer to his note requesting this Government's views concerning the provision of military assistance to the Government of Italy.

The Executive Branch of the United States Government is prepared to recommend to the United States Congress that the United States provide military assistance to the Government of Italy in order to assist it to meet the material requirements of its defense program. It will be requested of the Congress that such assistance be in the form of military equipment from the United States required by Italy's defense program and the provision of some financial assistance for increased military production on Italy's part required by its defense program. Such assistance would be extended in recognition of the principle of self-help and mutual aid contained in the Atlantic Pact.

In connection with its recommendations to the Congress, the United States Government will avail itself of the information concerning items of military equipment urgently needed for the strengthening of the Italian armed forces which were earlier emphasized by the Italian Government, and is ready to continue its consultation with the Italian Government in order to examine any relevant information in further detail.

Exchange of Communications Between the Governments of Norway and the U. S.

April 7, 1949

After the liberation in May, 1945, the Norwegian people actively concentrated its efforts upon the reconstruction of the country, and has taken upon itself substantial burdens and sacrifices to secure its future.

The bitter experiences suffered by the people during the war, its urge to defend free democracy and its appreciation of the exposed geographical position of the country, have convinced the overwhelming majority of the people of the necessity to allocate an important share of the country's limited resources to the rehabilitation of Norwegian defense. During the three years from 1946-1949 Norway's Storting appropriated a total of 1,100 million kroner for military purposes.

The large investments in the economy of the country necessary to achieve a balanced foreign exchange position, and the large investments in defense establishments inevitably caused a strain on the economic resources of the country, as well as on its finances. Norwegian economists unanimously agree that additional allocations for military purposes would with all probability impede economic recovery and endanger economic stability, which the country has hitherto been able to maintain.

April 17, 1949

The Norwegian Government has arrived at the conclusion that it will not be possible to finance the establishment of an adequate defense by drawing solely upon domestic resources. The Norwegian Government has therefore submitted to the Government of the United States a list of requirements for the Norwegian defense necessary for the implementation of plans for the period up to July 1, 1950. It is also endeavoring to determine how Norwegian military production may be increased if financial assistance should be provided.

The Norwegian request has been made in recognition of the principle of self-help and mutual aid contained in the North Atlantic Treaty in accordance with which the members will undertake to extend such reciprocal assistance as each country can reasonably be expected to contribute consistent with its resources and geographical location, with due regard to the requirements of economic recovery, and in the form in which it can most effectively furnish it.

The Norwegian Government recognizes its obligations in accordance with this principle, while noting that the principle of self-help and mutual aid is not inconsistent with the foreign policy pursued by the Norwegian Government.

While referring to what has been outlined above concerning defense steps being undertaken and recognizing that Norway must be prepared, in own and mutual interest, to increase her military capacity and production, the Norwegian Government assumes that first priority should be given to economic recovery and the maintenance of economic stability.

The Norwegian Government hopes that the United States will be prepared to extend to Norway military aid in accordance with the above principles. The views of the United States Government as to the assistance it is prepared to extend, will be welcomed.

April 7, 1949

Reference is made to the Aide-Memoire of the Norwegian Embassy, dated April 7, 1949 asking the views of the United States Government with respect to the provision of military assistance.

The Executive Branch of the United States Government is prepared to recommend to the United States Congress that the United States provide military assistance to the Government of Norway in order to assist it to meet the material requirements of its defense program. It will be requested of the Congress that such assistance be in the form of military equipment from the United States required by Norway's defense program and the provision of some financial assistance for increased military production on Norway's part which may be required by its defense program. Such assistance would be extended in recognition of the principle of self-help and mutual aid contained in the Atlantic Pact.

It is understood that the information previously made available to the United States Government by the Government of Norway concerning its requirements for military assistance remains unchanged.

Rules for Emergency Aid Grants to Chinese Students

[Released to the press April 7]

Rules under which emergency aid will be rendered to certain Chinese students in the United States from the \$500,000 fund recently made available for this purpose by the State Department in cooperation with ECA, were announced on April 2 by the Department of State.

Grants will be made to Chinese students in urgent need who are seniors or graduate students in accredited U.S. colleges or universities and who are specializing in certain technical and scientific fields.

These grants, the Department announced, will cover tuition, maintenance, and certain other expenses. Amounts of the grants will be limited to the sum necessary to enable the recipient (a) to achieve an immediate and approved educational objective, (b) to return to China and make his knowledge and skill available in his own country.

The basic principles and objectives of this emergency program were reviewed and approved by the United States Advisory Commission on Educational Exchange, a statutory Commission established for the purpose of formulating and recommending educational exchange programs and policies to the Secretary of State.

Qualifications

1. The student must be a citizen of the Republic of China.
2. The student must have been engaged in a course of study as of the fall semester 1948.
3. (a) He must be engaged in certain technical fields of study.
(b) He cannot be enrolled in such schools as fine arts; such courses as history, American law or literature, and similar courses.
4. He must be enrolled in an accredited university or college.
5. He must be in need of financial assistance.
6. He must sign a pledge to return to China, where he can apply his skills when his education is finished.

Procedures

1. The President of each University where eligible Chinese students are enrolled will appoint an official representative.
2. The Department of State will send this official the application blanks, and letter of reference forms.

3. The student fills in the form and hands it to the University official, who certifies to its accuracy, and returns it to the Department of State.

4. The letters of reference will be sent by the authors directly to the Department of State. The references cannot be students, and must be approved by the University representative.

5. The Department determines the amount and conditions of the award and notifies the student and the University official.

Responsibility of the University

1. To appoint an official representative who will:
 - (a) Issue application forms.
 - (b) Advise the student.
 - (c) Approve references.
 - (d) Certify to accuracy of the application.
 - (e) Receive notification of award.
 - (f) Notify the Department immediately when the student severs his relationship with the University.
 - (g) Notify the Department when the student is doing unsatisfactory work.
 - (h) Give a general report on all award students at the end of quarters and semesters, and at the end of the academic year.

Intragovernmental Working Committee

This Committee will consist of three persons, a representative of the Department of State, of the United States Office of Education, and of ECA, with the Chairman from the Department of State. This will be a focal point where ECA can establish criteria consonant with its legislative authority, and the United States Office of Education will make available its specialized knowledge and resources in education. This Committee will meet at regular intervals and will advise concerning policy.

The Advisory Committee on Emergency Aid to Chinese Students

This Committee will consist of representatives from interested private organizations, and two or three *ad hoc* members from private life who will serve at the pleasure of the appointing officer. This Committee will be appointed by the Department of State, and will meet within 30 days of the formal inauguration of the program to review, comment, and advise. Subsequent meetings will be called at the pleasure of the appointing officer.

Application

1. Students who are in college must apply through the University official.
2. College and University officials and others interested may direct correspondence to: Division of Exchange of Persons, Department of State, Washington 25, D.C.

U.S., U.K., and France Reach Agreement on All Questions Relating to Germany¹

COMMUNIQUE

The Foreign Ministers of the United States, United Kingdom, and France have discussed in Washington the whole range of issues now pending in connection with Germany and have arrived at complete agreement.

The text of an occupation statute in a new and simpler form has been approved and is being transmitted to the German Parliamentary Council at Bonn. Agreement was reached on the basic principles to govern the exercise of Allied powers and responsibilities and also the tripartite Allied control machinery. The Foreign Ministers confirmed and approved agreements on the subject of plant dismantling, prohibited and restricted industries, and the establishment of an International Ruhr Authority, all of which were recently negotiated in London.

The occupation statute will define the powers to be retained by the occupation authorities upon the establishment of the German Federal Republic and set forth basic procedures for the operation of Allied supervision. Subject only to the limitations of the statute, the German Federal State and the participating Laender will have full legislative, executive, and judicial powers, in accordance with the basic law and with their respective constitutions. The statute aims to permit the German people to exercise democratic self-government. Provision is made for a review of the terms of the statute after a year in force.

With the establishment of the German Federal Republic, there will be a marked change in the organization to carry out occupation responsibilities. Military Government as such will be terminated, and the functions of the Allied authorities will become mainly supervisory. Each of the Allied establishments in Germany will come under the direction of a High Commissioner, aside from the occupation forces which will remain headed by military commanders. The three High Commissioners together will constitute an Allied High Commission, which will be the supreme Allied agency of control. In order to permit the German Federal Republic to exercise increased responsibility for domestic affairs and to reduce the burden of occupation costs, staff personnel shall be kept to a minimum.

The German Government authorities will be at liberty to take administrative and legislative action, and such action will have validity if not dis-

approved by Allied authorities. There will be certain limited fields in which the Allies will reserve the right to take direct action themselves or to direct German authorities to take action. However, these fields will be limited, and aside from security matters, the exercise of direct powers by the Allies is regarded in many instances as self-liquidating in nature.

It was agreed that a major objective of the three Allied Governments was to encourage and facilitate the closest integration, on a mutually beneficial basis, of the German people under a democratic federal state within the framework of a European association. In this connection it is understood that the German Federal Republic will negotiate a separate bilateral ECA agreement with the United States and should participate as a full member in the Organization for European Economic Cooperation, thus becoming a responsible partner in the European Recovery Program.

STATEMENT BY SECRETARY ACHESON

As the communiqué indicates, the three Western Governments reached complete agreement on all the questions relating to Germany which have been under negotiation between them in both London and Berlin during the past few months. On plant dismantling and on prohibited and restricted industries, Ambassador Douglas succeeded in obtaining agreement in London a few days before the talks in Washington began. These were extremely difficult and complicated matters, and the understanding reached in London contributed greatly to the success of the discussions held here.

The three Ministers confirmed and approved the agreements on plant dismantling and prohibited and restricted industries. With respect to dismantling, publication will be withheld pending notification to the Inter-Allied Reparations Agency at Brussels, which will be made in a few days. We are awaiting confirmation of a definitive text by the Military Governors in Germany before publishing the results of the agreement on prohibited and restricted industries.

The Ministers also gave formal approval to the statute published in London at the end of December last year for the setting up of an Inter-

¹ Released to the press Apr. 8, 1949.

national Authority for the Ruhr. Steps will be taken immediately for the organization of this Authority.

You will recall that intergovernmental discussions were started in London in January on the occupation statute for Western Germany and on the principles which would govern an agreement on trizonal fusion. While considerable progress was made in London on both these subjects, no agreement had been reached prior to the arrival here of the French and British Foreign Ministers. In our Washington discussions, we were able to clear up all outstanding points and succeeded in drafting a much simpler occupation statute, which will be shortly transmitted to the Parliamentary Council at Bonn for the latter's information in the formulation of the basic law. We also agreed on basic provisions for the establishment of an Allied High Commission and on the basic principles which will be embodied in trizonal fusion. A more detailed and technical trizonal fusion agreement will have to be concluded, as was done in the case of the bizonal fusion agreement with the British. The settlement of the principal points now clears the way for the drafting of this formal agreement. Complete trizonal fusion will follow with the establishment of the German Federal Government.

MESSAGE TO THE MILITARY GOVERNORS

The Foreign Ministers of the United States, United Kingdom, and France take the occasion of their meeting in Washington for the discussion of German matters to extend jointly their sincere appreciation to their Military Governors for the outstanding manner in which they have performed their missions in the last trying years.

The Ministers, speaking in behalf of their Governments, desire to express their admiration of the able and devoted manner in which the three Commanders-in-Chief have accomplished the immense task that has confronted them in Germany. The Commanders-in-Chief have assumed for their Governments the burden of bringing together the remnants of a Germany which war and chaos had reduced to a cauldron of misery and where all organized government had been destroyed. In these four years the task of reconstruction and pacification has proceeded without a single incident of serious import. This is an unparalleled accomplishment.

The firm foundation laid by the Military Governors has made possible the agreement reached in Washington by the Foreign Ministers on matters connected with Germany. They are confident that the pioneer work of these soldier-statesmen will now lead on to the evolution of a democratic and peaceful Germany.

TEXT OF OCCUPATION STATUTE

In the exercise of the supreme authority which is retained by the Governments of France, the United States and the United Kingdom,

We, GENERAL PIERRE KOENIG, Military Governor and Commander-in-Chief of the French Zone of Germany,

GENERAL LUCIUS D. CLAY, Military Governor and Commander-in-Chief of the United States Zone of Germany, and

GENERAL SIR BRIAN HUBERT ROBERTSON, Military Governor and Commander-in-Chief of the British Zone of Germany,

DO HEREBY JOINTLY PROCLAIM THE FOLLOWING OCCUPATION STATUTE:

1. During the period in which it is necessary that the occupation continue, the Governments of France, the United States and the United Kingdom desire and intend that the German people shall enjoy self-government to the maximum possible degree consistent with such occupation. The Federal State and the participating Laender shall have, subject only to the limitations in this Instrument, full legislative, executive and judicial powers in accordance with the Basic Law and with their respective constitutions.

2. In order to ensure the accomplishment of the basic purposes of the occupation, powers in the following fields are specifically reserved, including the right to request and verify information and statistics needed by the occupation authorities:

(a) disarmament and demilitarization, including related fields of scientific research, prohibitions and restrictions on industry and civil aviation;

(b) controls in regard to the Ruhr, restitution, reparations, decartelization, deconcentration, non-discrimination in trade matters, foreign interests in Germany and claims against Germany;

(c) foreign affairs, including international agreements made by or on behalf of Germany;

(d) displaced persons and the admission of refugees;

(e) protection, prestige, and security of Allied forces, dependents, employees, and representatives, their immunities and satisfaction of occupation costs and their other requirements;

(f) respect for the Basic Law and the Land constitutions;

(g) control over foreign trade and exchange;

(h) control over internal action, only to the minimum extent necessary to ensure use of funds, food and other supplies in such manner as to reduce to a minimum the need for external assistance to Germany;

(i) control of the care and treatment in German prisons of persons charged before or sentenced by the courts or tribunals of the occupying powers or occupation authorities; over the carrying out of sentences imposed on them; and over questions of amnesty, pardon or release in relation to them.

3. It is the hope and expectation of the Governments of France, the United States and the United Kingdom that the occupation authorities will not have occasion to take action in fields other than those specifically reserved above. The occupation authorities, however, reserve the right, acting under instructions of their Governments, to resume, in whole or in part, the exercise of full authority if they consider that to do so is essential to security or to preserve democratic government in Germany or in pursuance of the international obligations of their governments. Before so doing, they will formally advise the appropriate German authorities of their decision and of the reasons therefor.

4. The German Federal Government and the governments of the Laender shall have the power, after due notification to the occupation authorities, to legislate and act in the fields reserved to these authorities, except as the occupation authorities otherwise specifically direct, or as such legislation or action would be inconsistent with decisions or actions taken by the occupation authorities themselves.

5. Any amendment of the Basic Law will require the express approval of the occupation authorities before becoming effective. Land constitutions, amendments thereof, all other legislation, and any agreements made between the Federal State and foreign governments, will become effective twenty-one days after official receipt by the occupation authorities unless previously disapproved by them, provisionally or finally. The occupation authorities will not disapprove legislation unless in their opinion it is inconsistent with the Basic Law, a Land Constitution, legislation or other directives of the occupation authorities themselves or the provisions of this Instrument, or unless it constitutes a grave threat to the basic purposes of the occupation.

6. Subject only to the requirements of their security, the occupation authorities guarantee that all agencies of the occupation will respect the civil rights of every person to be protected against arbitrary arrest, search or seizure; to be represented by counsel; to be admitted to bail as circumstances warrant; to communicate with relatives; and to have a fair and prompt trial.

7. Legislation of the occupation authorities enacted before the effective date of the Basic Law shall remain in force until repealed or amended by the occupation authorities in accordance with the following provisions:

(a) legislation inconsistent with the foregoing will be repealed or amended to make it consistent herewith;

(b) legislation based upon the reserved powers, referred to in paragraph 2 above, will be codified;

(c) legislation not referred to in (a) and (b) will be repealed by the occupation authorities on request from appropriate German authorities.

8. Any action shall be deemed to be the act of the occupation authorities under the powers herein reserved, and effective as such under this Instrument, when taken or evidenced in any manner provided by any agreement between them. The occupation authorities may in their discretion effectuate their decisions either directly or through instructions to the appropriate German authorities.

9. After 12 months and in any event within 18 months of the effective date of this Instrument the occupying powers will undertake a review of its provisions in the light of experience with its operation and with a view to extending the jurisdiction of the German authorities in the legislative, executive and judicial fields.

Absentee-Owned Properties in U.S. Zone in Germany To Be Returned

[Released to the press by OMGUS in Berlin March 26]

Certain properties having an individual value of DM 10,000 or less, located in the U.S. area of control of Germany which are presently under property control custody of Military Government and belong to absentee owners will be released after May 15, 1949, to the former custodians, who managed the property at the time it was taken into custody by Military Government, providing such custodians are able to give evidence that they presently retain the confidence of the alien owners, Property Division of OMGUS announced on March 26. The properties affected are further limited to those which were taken into control by Military Government solely by reason of absentee ownership.

Nearly 8,000 pieces of property with a total value approximating RM 70,000,000 are involved. The absentee owners will be notified of the action to be taken relative to their property. If the property owner chooses, he may nominate his own agent to accept release of the property before May 15, 1949. In the event, however, that the owner does not take this opportunity to name his own agent, Military Government will thereafter release the property to the former custodian, providing certain conditions are met, and that he produces evidence to show that he is still acceptable to the owner.

Each agent or close relative of an absentee owner, in order to reassume responsibility for such properties he formerly administered in the U.S. area of control, will be required to sign a certificate acknowledging receipt of the property and agreeing to notify his principal that the property will nevertheless remain subject to the provisions of Military Government Law No. 52, as well as all other applicable laws, ordinances, directives, orders, or regulations of Military Government. The properties will thus remain subject to the

Military Government policy concerning moratorium on foreign investments; and unless the owner or his agent is granted a special license, he may not make other than ordinary business expenditures in connection with the released property.

The Property Division of OMGUS announced that this step is being taken in pursuance of the policy of Military Government to release as quickly as possible the properties of all absentee owners, and to withdraw from the field of property control. It is anticipated that this step will result in the release of approximately 80 percent of the number of all absentee-owned properties still under Military Government property control custody in the U.S. area of control, although the value of these properties constitutes only 10 percent of the value of controlled absentee-owned properties.

U.S. Official Interviews American Soldiers Held Prisoners in Czechoslovakia

[Released to the press April 6]

Capt. Donald G. McNamara, assistant military attaché, and Consul Carroll C. Parry, accompanied by two representatives of the Czechoslovak Government yesterday afternoon visited the two soldiers, George R. Jones and Clarence R. Hill, at Bory prison near Pilsen. The two men were interviewed separately in the presence of the foregoing persons as well as the prison warden and an interpreter.

The men admit having voluntarily entered Czechoslovakia about midnight on December 8, 1948, in uniform and about 5:00 a. m. the following day were arrested while asleep in a switch house on the railway near the border. They were confined at several places and were tried by a court in Praha which sentenced them to twelve (Hill) and ten years (Jones). The men appeared to be in good health. They are now confined at Bory prison near Pilsen. In the light of the interview, the Embassy is asking the Foreign Office for further information.

Time Extended for Patent Applications in Japan

[Released to the press March 29]

The Department of State announced on March 29 the issuance by the United States Government of an interim directive to the Supreme Commander for the Allied Powers regarding the extension of time for exercising the right of priority for patent applications in Japan. The Department pointed out that this interim directive is complementary to a recent policy decision of the Far Eastern Commission regarding patents, util-

ity models, and designs in Japan. Because the Commission did not take action on the urgent matter of extension of priority rights, this Government has acted in accordance with the authority granted it in paragraph III, 3 of the terms of reference of the Far Eastern Commission which provides:

The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission; provided that any directives dealing with fundamental changes in the Japanese constitutional structure or in the regime of control, or dealing with a change in the Japanese Government as a whole will be issued only following consultation and following the attainment of agreement in the Far Eastern Commission.

The Department explained that the urgency for a policy on priority for patent applications in Japan is accentuated by the long period which has elapsed since it was last possible for nationals of countries at war with Japan to file patent applications in Japan. Under normal circumstances, persons who had filed in any country a first application for a patent and wished to have comparable protection in Japan would have filed an application there within a year in order to take advantage of the priority right derived from the previous first filing. By extending the priority period, the interim directive affords protection to persons who have not been able to exercise their priority rights in Japan because of the war. The interim directive also provides that third parties who have, before the filing of the application in Japan, *bona fide* manufactured, used, sold, or leased the subject matter of any Japanese patent obtained with such priorities shall be given the usual protection from liability for infringement.

The text of the interim directive, which has been issued to the Supreme Commander for the Allied Powers and will be filed with the Far Eastern Commission, is as follows:

Nationals of countries at war with Japan who had duly filed in any country the first application for a patent not earlier than twelve months before the effective date of loss of right to file patent applications in Japan should be entitled, within twelve months after the date, as determined by the Supreme Commander, on which such Governments and nations are again permitted to apply for patents directly to the Japanese Patent Office and to obtain legal services necessary for this purpose, to apply for corresponding rights in Japan with a right of priority based upon the previous first filing of the application. Third parties who have *bona fide* manufactured, used, sold or leased the subject matter of any Japanese patent obtained with this priority should not be liable for infringement on account of such use but should be enabled to continue such use after the filing of the application only under the terms of a nonexclusive license which the patent owner should be required to grant on terms providing for reasonable royalties as fixed by an agency to be authorized to make such determinations. Payment of such royalties should be subject to applicable financial regulations in effect in Japan at the time they are paid.

Termination of Foreign Liquidation Commission

[Released to the press March 24]

The Department of State announced on March 24 that the Office of the Foreign Liquidation Commissioner (FLC) has notified its remaining overseas offices of closing dates and that the liquidation of the entire organization will be effected by June 30, 1949.

The agency has already disposed of approximately \$10,300,000,000 (at procurement cost) of war surplus located in foreign areas. Approximately \$2,000,000,000, or about 20 percent of procurement cost, was realized for the United States from these sales. A large percentage of the surplus consisted of used items or material which would require conversion from military to civilian use. Much of the surplus was located in out-of-the-way places far from a favorable market. The surplus consisted of about 4,000,000 types of items of almost every conceivable type of material ranging from mules to entire naval yards.

The FLC still has on hand approximately \$13,000,000 (at procurement cost) of noncombat war surplus consisting chiefly of returned lend-lease equipment, wrecked vessels, and related maritime items located at various Pacific islands.

Field offices of the FLC were notified of their termination dates as follows: Central Field Commissioner for Europe, at Paris, May 15, 1949; Central Field Commissioner for Pacific Islands, Asia, and Australia, located at Manila, May 15; field representative for Australia and Southern Pacific, at Sydney, March 31; Field Commissioner for Marianas, Marshall-Gilbert area, at Guam, May 15; and special representative for Latin America and the Antilles, at Balboa, March 31.

Already closed are FLC field offices at New Delhi, for India and Pakistan; Cairo, for the Middle East; London, for the British Isles; Rome, for southern Europe and North Africa; Rio de Janeiro, for South America; Shanghai, for China; and Canada and the North Atlantic field offices located in the Washington, D. C., Central Office.

With the liquidation of the FLC on June 30, its residual functions not absorbed by the Department's permanent establishment will be trans-

ferred to other Government agencies. The actual disposal of any remaining overseas surplus will be handled by the owning agencies, principally the Departments of the Army Air Force, and Navy, under an amendment to FLC regulation 8, which governs the foreign disposal operations under the Surplus Property Act of 1944.

The predecessor of the Office of the Foreign Liquidation Commissioner was the Office of the Army-Navy Liquidation Commissioner, which began its existence in February 1945, under the control of the Surplus Property Board, which had been established by the Surplus Property Act. The functions and staff of this organization were transferred, effective October 20, 1945, to the jurisdiction of the Department of State by executive order, and the agency was renamed the Office of the Foreign Liquidation Commissioner.

Maj. Gen. Clyde L. Hyssong is the present Foreign Liquidation Commissioner. He succeeded Fred W. Ramsey.

Aid to Chinese Students in the U.S.

[Released to the press jointly with ECA March 30]

An agreement has been reached between the Department of State and the Economic Cooperation Administration whereby \$500,000 is being turned over to the Department by ECA for temporary aid to Chinese students in the United States in certain scientific and technical fields. Details concerning the administration of the fund are being worked out between ECA and the Department and will be announced in the near future. In the meantime, no one is presently authorized to receive applications for assistance under this program, which is undertaken following a request by the Government of China to ECA.

This is an emergency program designed to enable qualified Chinese students to achieve immediate professional objectives in certain scientific and technical fields and to enable them to return to China as soon as possible to make use of the knowledge and skill acquired in the United States. Funds for this program will be made available from the appropriation for assistance to China under the China Aid Act of 1948.

Contents

Treaty Information

Signing Ceremony of the North Atlantic Treaty:

	Page
Program	471
Remarks by Dean Acheson	471
Remarks by Paul-Henri Spaak	472
Remarks by L. B. Pearson	473
Remarks by Gustav Rasmussen	474
Remarks by Robert Schuman	474
Remarks by Bjarni Benediktsson	475
Remarks by Carlo Sforza	476
Remarks by Joseph Bech	476
Remarks by Dirk U. Stikker	477
Remarks by Halvard Lange	478
Remarks by José Caeiro Da Matta	479
Remarks by Ernest Bevin	480
Address of the President of the United States	481
The Atlantic Community and the United Nations. By Ambassador Philip C. Jessup	486
Request for Military Assistance From Atlantic Pact Countries:	
Statement by Secretary Acheson	493
Exchange of Communications Between the Brussels Treaty Powers and the United States	494
Exchange of Communications Between the Governments of Denmark and the U.S.	495
Exchange of Notes Between the Governments of Italy and the U.S.	496
Exchange of Communications Between the Governments of Norway and the U.S.	497

The United Nations and Specialized Agencies

Reconvening of the Third Session of the General Assembly:	
Statement by Secretary Acheson	483
Agenda	483

The United Nations and Specialized Agencies—Continued

	Page
U.S. Views on Former Italian Colonies. Statement by John Foster Dulles	484
The Atlantic Community and the United Nations. Statement by Ambassador Philip C. Jessup	486
Resolution on Trade Union Rights. Freedom of Association	490
The United States in the United Nations	491

Occupation Matters

U.S., U.K., and France Reach Agreement on All Questions Relating to Germany:	
Communiqué	499
Statement by Secretary Acheson	499
Message to the Military Governors	500
Text of Occupation Statute	500
Absentee-Owned Properties in U.S. Zone in Germany To Be Returned	501
Time Extended for Patent Applications in Japan	502

International Information and Cultural Affairs

Rules for Emergency Aid Grants to Chinese Students	498
Aid to Chinese Students in the U.S.	503

The Department

Termination of Foreign Liquidation Commission	503
---	-----

General Policy

U.S. Official Interviews American Soldiers Held Prisoners in Czechoslovakia	502
---	-----